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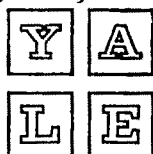
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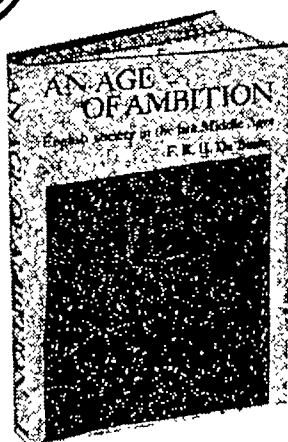
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Hereditary Benefices in the Medieval English Church: a Herefordshire Example

AMONG THE FORMIDABLE tasks which faced the Gregorian reformers in the eleventh and twelfth centuries was the eradication of the married state of many of the clergy in the western Church and the abolition of an associated evil, the hereditary ecclesiastical benefice.¹ These phenomena were no less evident in the English Church than elsewhere in western Christendom and the social obstacles in the way of enforcing the reform no less difficult to overcome. The changes were effected in the English Church only gradually over a period of close on 200 years, from the latter half of the eleventh century to the mid thirteenth century. They were achieved in two main stages, affecting in the first place the higher clergy, that is to say the bishops, archdeacons, cathedral clergy and all regular clergy, and later and only gradually the mass of the parochial clergy. Around the middle of the twelfth century marriage disappeared amongst the higher clergy and the habit of hereditary succession to higher benefices had been all but abolished. In the words of Professor Brooke (commenting on the higher clergy), 'the great clerical families and the hereditary benefices flourished in the English Church between the Conquest and the Anarchy; . . . clerical marriage was sufficiently common to be safe and even respectable. In the middle of the century—among the higher clergy—it died.'² But although the reformers achieved this success amongst the higher clergy of the English Church, their efforts had by the later twelfth century hardly touched the state of the lower clergy and parochial benefices. Professor Cheney remarks in respect of the parish clergy of the later twelfth and early thirteenth centuries that 'although decrees of councils and decretals throughout the period condemned the marriage and concubinage of the clergy, they were only half-heartedly applied. A strictly celibate clergy must have seemed as remote an ideal in Langton's day as in Becket's'.³ In the early thirteenth century the ideal of an unmarried clergy and non-hereditary benefices was still, at the parish level, far short of realization. Nonetheless, by the second

¹ I am grateful to Professor C. R. Cheney, Miss P. A. McNulty and Dr. C. F. Slade for their kindness in reading this paper and for their helpful suggestions.

² C. N. L. Brooke, 'Gregorian reform in action: clerical marriage in England 1050-1200', *Cambridge Hist. Jour.*, xii (1956), 18.

³ C. R. Cheney, *From Becket to Langton* (Manchester, 1956), pp. 137-8.

half of the century, even among the lower orders, clerical marriage had become a rare phenomenon and with its disappearance had passed also the habit of hereditary succession to family benefices.¹

The broad outlines of the story can thus be stated, but to find concrete examples is not always easy. Examination of the cathedral chapter of St. Paul's has produced valuable information on the changes which it experienced in the twelfth century,² but for most benefices, particularly parochial livings, there is insufficient surviving evidence to demonstrate in practice both the hereditary principle and its supersession by the reforming ideas. The church of Eye in Herefordshire, remote and close to the Welsh border, is something of an exception, for enough facts about it in the twelfth and thirteenth centuries have come down to enable it to be used as an illustration of some of the points mentioned above.³ Its history may be taken as an indication of the sort of development which probably took place in many other livings. But practical examples are rarely clear and uncomplicated, and, as will be seen, the history of the church of Eye in this period is affected by other factors than those involving the existence and gradual abolition of the hereditary benefice. This article will examine the family relationships of the incumbents of Eye in the twelfth and thirteenth centuries, but it will be necessary also to discuss the lordship of the manor of Eye, to consider the dissolution of an ancient *parochia*⁴ of which Eye formed a part, and to introduce the abbey of Reading, which played a vital part in the story and, indirectly, ensured that the evidence would survive.

A survey of the evidence will show that during the period c. 1150-1254 the ecclesiastical living of Eye was, to all intents and purposes, an hereditary benefice, the 'preserve' of a single family, and that the fortunes of this family were closely bound up with the lordship of land which constituted the later manor of Eye. It is hoped to establish the genealogy of the incumbents of the church of Eye and to show how, at parish level, the custom of hereditary benefices, combined with local lordship, continued well into the thirteenth century, in spite of the endeavours of ecclesiastical reformers.

¹ Brooke, 'Gregorian reform in action', p. 7.

²C. N. L. Brooke, 'The composition of the chapter of St. Paul's, 1086-1163', *Cambridge Hist. Jour.*, x (1950-2), 121-7.

³There is also the interesting, though less well documented, case of Whalley church, Lancs. In the 12th and earlier 13th centuries it was held by a succession of hereditary incumbents known as deans, at least one of whom appears also to have had secular lordship in Whalley (*The Coucher Book of Whalley Abbey*, ed. W. A. Hulton (Chetham Soc., 1847-9), i. 186-8, 277-8); the genealogy of the deans of Whalley is given *ibid.*, iv. 1074. A similar situation obtained at Hexham, Northumb., but there the line of hereditary priests came to an end about a century earlier with the death of Eilaf the priest in 1138, following the foundation of the Augustinian priory there in 1113 (*The Priory of Hexham*, ed. J. Raine (Surtees Soc., 1864-5), i, pp. l-lxvii. Compare also F. Barlow, *Durham Jurisdictional Peculiars* (Oxford, 1950), pp. 33-5).

⁴The Latin word *parochia* is used in this article to denote a large and ancient parish, extending over several villages and hamlets and dependent upon a central mother church.

The history of the church of Eye cannot be treated separately from the descent of the land in and near Eye, at any rate in the period under review. The complexities which will be encountered will serve as an excellent illustration of the difficulty of disentangling lay and ecclesiastical tenements (a difficulty of which the men of the twelfth and thirteenth centuries were equally conscious) and of the close ties between the parochial clergy and their local secular environment.

Two facts must be clearly understood at the outset of this rather complicated story—first, that Eye in Herefordshire is not mentioned, either manorially or ecclesiastically, in the Domesday Survey; secondly, that in the eleven-twenties Henry I gave to Reading Abbey the lordship and ancient church of Leominster, where a dependent priory was established.¹

The composite lordship of Leominster was described in detail in Domesday as a *caput* with a number of dependent or 'member' estates, which included Yarpole and Luston.² The significance of this will appear later. Eye was not listed in the Survey as one of the constituent estates of Leominster, but towards the end of the thirteenth century a certain Philip of Eye appears as lord of the manor of Eye and is described as holding of Reading Abbey 'a manor, lands and tenements' in Eye and Yarpole.³ His possessions in Yarpole no doubt formed part of that dependent estate of Leominster, but the origin both of the abbey's and of Philip's title to the manor of Eye presents difficulties, partly because of the silence of Domesday with regard to the place and partly because no charters exist which could have given these titles. Indeed, it is clear that in the twelve-eighties nobody was any wiser on these points.⁴ However, it will be suggested that Reading Abbey's right to lordship of the thirteenth-century manor of Eye derived from its possession of the lordship of Leominster and that Philip of Eye was a descendant of earlier tenants of the abbey in land of lay fee which was to become by the later thirteenth century the manor of Eye.

The spirituality of Eye is first recorded in a charter given by Richard de Capella, bishop of Hereford, dated 1123, in which he confirmed to Reading Abbey the church of Leominster and listed those places, scattered for several miles around, which lay within its extensive *parochia*.⁵ The church of Leominster was already an establishment of great antiquity, which, although it had experienced many vicissitudes in its long history, still functioned in the early twelfth century as the mother church of a remarkably

¹W. Dugdale, *Monasticon Anglicanum*, ed. J. Caley and others (1817-30), iv. 28, 51.

²*V(ictoria) C(ounty) H(istory) Herefordshire*, i. 314.

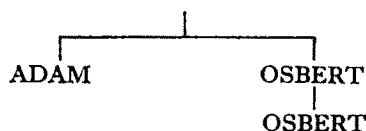
³British Museum, Cotton MS. Vespasian E. xxv fo. 132v; Cotton MS. Domitian A. iii fo. 161v.

⁴In the course of an inquest on the church of Eye held at Leominster in 1285 (see below, p. 8), none of those who were asked about the past history of the manor of Eye could say whether it had been a dependency of the manor of Leominster or whether it had ever been in the hands of the monks of Leominster priory.

⁵Cott. MS. Dom. A iii fo. 59v; printed (inaccurately) by Dugdale, iv. 56. The charter is discussed by R. Lennard, *Rural England 1086-1135* (Oxford, 1959), p. 400.

intact *parochia*. Eye lies some three miles north of Leominster and it may be that, at one time, its spiritual needs were served from the central church. By the mid twelfth century at the latest there was a chapelry of Eye, which by the thirteenth century had risen to the status of a separate parish with its own group of chapelries,¹ the whole remaining dependent upon the mother church of Leominster. The abbot and convent of Reading possessed, through their tenure of Leominster, the advowson of the chapel, then of the church, of Eye.

Between 1173 and 1186 Abbot Joseph and the convent of Reading granted to one Osbert son of Osbert the chapel of Eye with all its appurtenances, as his father had held it, for 3 marks per annum. In return, Osbert renounced all 'additional' lands ('omnibus incrementis terrarum') which his paternal uncle, Adam, had held, that is to say 2 virgates, one in Bircher (in Yarpole) and the other in Middleton, and also 4 acres in Yarpole, 14 acres in Luston and a mill, as well as all the acres which Reading Abbey's men had conveyed to him in Stephen's reign ('tempore guerre').² This charter provides the first part of the genealogy:



The geographical location of the places named is interesting, for they all lie very close to Eye and, moreover, all but Middleton were parts of the composite manor of Leominster. Adam had been, therefore, a tenant of the abbey, directly or indirectly, in a number of plots of land in the vicinity of Eye. Moreover, Adam's presumably younger brother, Osbert, had held the chapel of Eye, since it now passed by Abbot Joseph's grant to Osbert son of Osbert 'as his father had held it', and, since the younger Osbert was in a position to renounce to the abbot the lands of his uncle, it may be presumed that these had come into his hands through his father, Osbert the elder, probably when Adam had died without heirs of his body. Osbert the elder, therefore, had held lands near Eye and had been also chaplain of Eye. It is

¹ These were the chapelries of Brimfield, Croft, Orleton and (probably) Yarpole. For the dependence of Brimfield, see Appendix no. 2. In the chapelry of Croft in 1291, the prior of Leominster, as rector of Eye, had a portion of 2s (*Taxatio Ecclesiastica Angliae et Walliae auctoritate P. Nicholai IV* (Record Comm., 1802), p. 159). The 13th-century description of the chapelry of Orleton provided that the chaplain should receive the first oblation of the dead there, the vicar of Eye the second (Cott. MS. Dom. A. iii fo. 103v). The dependence of the chapelry of Yarpole cannot be proved, but it may be significant that in the first half of the 13th century the incumbent of Eye had a son Philip who was chaplain of Yarpole (see below, p. 6).

² Cott. MS. Dom. A. iii fo. 120 (see Appendix no. 1). The recipient of this charter is almost certainly identical with the Osbert who is referred to in another deed by the same abbot as 'our vicar of Eye' (Cott. MS. Dom. A. iii fo. 60v; Appendix no. 2). The second deed is quoted in confirmation by Robert Foliot, bishop of Hereford.

probable that Adam had similarly combined secular lordship with spiritual office, for, although there is no definite evidence of his having held the chapel, it is hoped to show later¹ that he was in fact the incumbent of Eye in the mid twelfth century. The description of the lands renounced by the younger Osbert as 'additional' implies that the family possessed some other land or lands and the problem of identifying the latter must be considered later. From the point of view of the main theme, the interesting points which emerge are that the elder Osbert was married, that he was a modest landholder which involved him in local secular society, and that his benefice was filled successively by three members of his family. Here are a number of points which would attract the attention of the reformers.

The next stage in the genealogy is established by a charter of Abbot Simon of Reading. Between 1213 and 1226 the abbot conceded to one Roger of Eye all the land of lay fee which Osbert his brother had held, for life only, in Yarpole and Eye, all right in which the latter had quitclaimed to the abbey. Roger was to hold it for life and afterwards it was to pass to his eldest son Walter, or to his sons Adam and Philip by hereditary right. The charter ends with the provision that whichever of the brothers held the land was to consult the abbot about his marriage plans and other matters.² This charter raises problems. The beneficiary's brother Osbert was the younger Osbert mentioned above, but this is the first reference to his having held land of lay fee in Eye and indeed, for that matter, the first reference to any lay tenement in Eye. In the later thirteenth century Philip of Eye regarded Osbert as having been lord of the manor of Eye and one of Osbert's own charters described him as Osbert of Eye.³

What was the origin of this lay fee in Eye, which was to become the manor of Eye? Abbot Simon's charter claimed that the younger Osbert had quitclaimed the land in Yarpole and Eye, but he had been allowed to retain possession for life. This cannot refer solely to the 'additional' lands of his uncle, Adam, which, as we have seen, he had renounced to Abbot Joseph, since (a) these lands had been in Bircher, Middleton, Yarpole, Luston and elsewhere, and (b) they had been too fragmentary to have constituted a manor. One is driven to the conclusion that, as well as being chaplain of Eye, the younger Osbert had also held land of lay fee in Eye and that this tenement had come to him by hereditary succession.⁴ Furthermore,

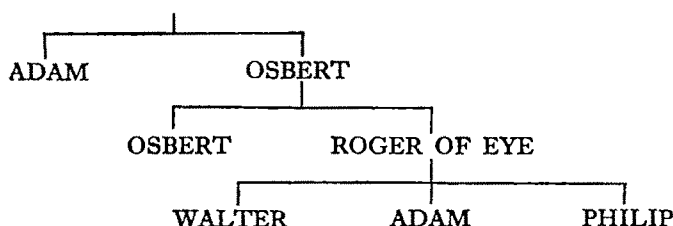
¹See below, p. 9.

²Cott. MS. Dom. A. iii fo. 132 (Appendix no. 3).

³*Ibid.* fo. 166.

⁴An alternative explanation might be that the land which became the manor of Eye was originally the landed endowment of the chapelry of Eye and that by the early 13th century it had been separated from the spirituality of Eye and turned into land of lay fee. It was not impossible for glebeland to be converted to other uses. In 1086 the church of St. Mary in Reading had a huge endowment of 8 hides of land (*V.C.H. Berks.*, i. 344) part of which subsequently became the manor of Battle in Reading (*ibid.*, iii. 366); and in 1241, under diocesan authority, the vicar of Wargrave (Berks.) conceded to Reading Abbey 1 acre of his glebe (*Brit. Mus.*, Egerton MS. 3031 fo. 84). There is no evidence of episcopal supervision of such a change in Eye,

although one cannot be certain, it is probable that the tenement formed part of the lordship of Leominster and that the younger Osbert had been persuaded to quitclaim his right in it to Reading Abbey in a document which has not survived. This would explain why the other plots of land were described as 'additional'; they were additional to the lay tenements in Eye and Yarpole which Adam and the two Osberts had held by hereditary succession. The younger Osbert had been allowed to retain for life his quitclaimed lands in Eye and Yarpole and, on his death in the early thirteenth century, presumably without immediate heirs, his brother Roger succeeded, as mentioned above, in obtaining from Abbot Simon a grant of the same lands for two generations. Thus, in spite of the younger Osbert's quitclaim, the tenements of lay fee in Eye and Yarpole continued in his family's possession well into the thirteenth century. The genealogy may now be extended thus:



It is in fact known that Walter succeeded to his father's lands and that Philip became chaplain of Yarpole, for the text of a charter survives in which Philip quitclaims to Reading Abbey all right in the lands and tenements held by his brother Walter in Eye and Yarpole.¹

During the period covered by these charters the chapel of Eye had risen to the status of a church and its appropriation to Reading was granted and effected 'on paper' by 1219.² A further series of documents adds to the knowledge of the Herefordshire family who held this church by hereditary succession. The incumbent who resigned the church before its appropriation was called Roger.³ After the church had been officially appropriated,

but the area was a remote one and the period around 1200 a difficult one, the bishop of Hereford, for example, being absent from his diocese during the Interdict. The possibility that the manor of Eye had been originally a dependency of the chapel of Eye clearly occurred to those who conducted the inquest in 1285 (see below, p. 8), for one of the jurors was specifically asked 'si tenementum de Eya una cum advocacione de Eya sit pendens vel appendentia ad dictam ecclesiam de Eya' (Cott. MS. Vesp. E. xxv fo. 135v), to which he replied that he did not know. However, there are difficulties in this explanation and the view expressed above is to be preferred.

¹ Cott. MS. Dom. A. iii fo. 147. This is a deed by Philip, chaplain of Yarpole, son of Roger of Eye. Moreover, a marginal note against the cartulary copy of Abbot Simon's deed to Roger of Eye reads 'modo tenet Walt' Eye' (*ibid.* fo. 132).

² Brit. Mus., Eg. MS. 3031 fos. 97v-98 (Appendix no. 4).

³ Brit. Mus., Eg. MS. 3031 fo. 100v (Appendix no. 5). The fact that in this episcopal document Roger is called a vicar does not mean that the church had been already appropriated, for in the 12th century the incumbent of a church granted to a

Roger was instituted as perpetual vicar and later ordained as a priest.¹ This indicates that he had previously been incumbent in the church without being in priest's orders. His status continued to be ill-defined and caused the abbey some anxiety. He remained in the church until his death, for in 1254 the abbey presented William de Waltham for institution in the vicarage of Eye, vacant by the death of the former vicar, Roger.² Surprising though it may seem, this Roger was probably the same Roger of Eye who was married and had received from Abbot Simon the lands in Eye and Yarpole. The evidence for the identification comes from a lengthy dispute which took place in the twelve-eighties between Reading Abbey and Philip lord of Eye over the advowson of the church of Eye.³ In 1281 Philip claimed from the abbey in the court of common pleas the advowson of the church and in his pleading denied in effect the validity of its appropriation to the abbey.⁴ He claimed that in the time of Richard I Osbert, who held the 'manor' of Eye to which the advowson belonged, presented a certain Roger son of Osbert, his clerk, to the church in question. He claimed further that the abbey had no right in the church save by the grant of the said Roger son of Osbert, who had, however, conveyed it for a term of years only. The church was now vacant, he maintained, by the death of Roger, but he was prevented from exercising the advowson by Reading's occupation of the church. The grant by Roger son of Osbert to which Philip referred was presumably the resignation, mentioned above, of the church of Eye to the abbey by Roger, its incumbent, before its appropriation, and this was clearly not for a term of years only. The Osbert mentioned by Philip was the same as the younger Osbert, who, as has been seen, received the chapel of Eye from Abbot Joseph. The genealogical table shows that the Roger son of Osbert whom he was alleged to have presented to the 'church' of Eye was his brother, the same Roger of Eye who received from Abbot Simon the grant of lands in Eye and Yarpole. This is supported by the evidence of one of the jurors in the inquest held at Leominster in connection with this dispute. A certain Walter declared on oath that the last rector of Eye—that is, before its appropriation—was Roger, grandfather of the present Philip,

religious house, to which he paid an annual pension (as at Eye), was often called a vicar. See Cheney, *From Becket to Langton*, p. 133. Abbot Joseph of Reading (1173–86) referred to Osbert the younger as 'vicar of Eye' (Appendix no. 2).

¹ See his recognition in the award by the prior of Wallingford in 1251 (see below, p. 8 and Appendix no. 6).

² Cott. MS. Dom. A. iii fo. 136 (Appendix no. 7). The presentation was made to the dean of Hereford, acting as vicar-general for the absent bishop, Peter D'Aigueblanche, who was at the time abroad with the king.

³ Cott. MS. Vesp. E. xxv fos. 132v–136v.

⁴ In Jan. 1280, the bishop of Hereford held a visitation of the church of Eye and was given to understand by 'trustworthy' witnesses that Leominster Priory (and therefore Reading Abbey) did not hold the church canonically, but 'colore cujusdam firme'. He ordered the monks to prove that they rightly held the church impropriate. Possibly Philip of Eye had been connected with the doubt thus raised in the episcopal mind. See *Registrum Thome de Cantilupo Episcopi Herefordensis*, ed. R. G. Griffiths and W. W. Capes (Canterbury and York Soc., 1907), p. 229.

who had been both lord and rector.¹ If this is the case, Osbert, who had himself received the chapel from Abbot Joseph, passed the benefice on to his brother in somewhat irregular circumstances. Certainly there is no evidence that Reading Abbey granted the chapel to Roger.

The inquest had been ordered by the justices in 1285 in order to ascertain the facts regarding the advowson of Eye and the result was communicated to them by the bishop of Hereford. He declared that apparently Eye church had been granted to the abbey by Henry I, but that some people believed that one Osbert, grandfather of Philip, had presented a certain Roger to the church.² A number of interesting points emerge from the detailed account of the inquest preserved in the Reading cartularies, which reveals great uncertainty among the jurors concerning Roger's tenure of the church. No juror appears to have stated that Osbert was Philip's grandfather; indeed the chief juror named Roger as his grandfather. Nevertheless, the general impression was that Roger had held the church and called himself rector, though in certain documents he was called vicar. One juror, Thomas, declared that he had seen three vicars of Eye, William, Richard and Adam, the present vicar (1285), all presented by Reading Abbey. He had also seen a certain Roger hold the church over a long period, but he did not know what had been his status. Another juror, Ralph, said that to judge from certain documents Roger had been perpetual farmer of the church, but to judge from others vicar. Those jurors who could remember stated that by 1285 the church of Eye had been filled by Reading Abbey as rector for thirty years and one juror declared that Roger had died thirty years previously.

All this fits in very nicely with what has already been demonstrated, namely that by 1254 Roger had died and that in that year the abbey presented William de Waltham as perpetual vicar, presumably the first vicar mentioned by the juror Thomas. Clearly, then, although the church had been technically appropriated to Reading Abbey by 1219, the incumbent Roger remained until 1254 in a rather anomalous position. He continued to call himself rector and probably continued to receive the greater part of the revenues. This would explain the juror Ralph's suggestion that Roger was perpetual farmer. Further evidence in favour of this suggestion is provided by the fact that in 1246 the abbey appealed against him to the pope. The case was committed to the prior of Wallingford (Berkshire), before whom the abbey asserted that Roger, vicar of Eye, not content with the vicarage to which he had been appointed, was presuming to take a greater part of the tithes and obventions of the church than was his due. Roger, appearing through his proctor, Philip of Eye (who is more likely to have been his son, the chaplain of Yarpole, than the other Philip who was the abbey's antagonist in the twelve-eighties), recognized that his sole right in the church was the vicarage worth 100s. The prior of Wallingford accordingly made his award in favour of the abbey, in the priory church of Wallingford, in

¹ Cott. MS. Dom. A. iii fo. 135.

² *Ibid.* fo. 134.

October 1251.¹ How effective it was is not known, but the abbey could not feel secure about the appropriation of the church of Eye until 1254 when Roger died. Indeed, during the intervening period, since 1219, the abbey had clearly been uneasy about its position in Eye, for it obtained an impressive series of confirmations of the appropriation from Pope Honorius III, the legates Guala and Otto, Bishops Hugh Foliot and Ralph Maidstone of Hereford and Archbishop Edmund Rich of Canterbury.² These were designed to bolster the abbey's claims in the face of the continued anomalous position of Roger and, even after the institution of William de Waltham, the abbey obtained in 1257 a further confirmation from Pope Alexander IV.³

To return to the temporalities of Eye and to the genealogy, the evidence so far adduced shows that Roger was lord of the land which later became known as the manor of Eye as well as holding the church. After 1254 the combined tenure of the land and the church came to an end and, if the evidence of the juror Walter and the claims of Philip of Eye can be accepted, the land formed the manor of Eye and descended to Philip as the (?) grandson of the lord-rector Roger.

From the time of Abbot Joseph of Reading (1173-86) until 1254 the land and church were held together. It was suggested above that this was true also in the mid twelfth century and it is now time to prove that Adam, the first person in the genealogy, had been at that time the incumbent of Eye. It will be seen in fact that both he and his brother, the elder Osbert, had been more than that, for they had in succession acted as rural dean of Leominster. Among the clerical witnesses to a charter of 1148-54 by Gilbert Foliot, bishop of Hereford, a certain Adam of Eye, dean of Leominster, is to be found.⁴ In view of his name it is most likely that this rural dean, who would probably be a beneficed clerk within the deanery, was incumbent in the chapel of Eye and it is tempting to identify him with the Adam who has so far appeared as the holder of lands in the neighbourhood of Eye. Other clues support this identification. At some time in Henry II's reign Robert Malherbe granted his demesne tithes of Risbury (Herefordshire) to Leominster Priory 'pro amore dei et Osb(erti) decani fratris Edmundi quondam prioris'⁵ and, slightly earlier, Walter de Clifford conceded the entire tithes of Hamnish (Herefordshire) 'pro amore Osberti fratris Edmundi prioris'.⁶ Both Risbury and Hamnish were within the rural deanery of Leominster and Osbert was probably the rural dean. He was also clearly the same as the elder Osbert of Eye noticed above and, if so, succeeded his brother Adam as incumbent of the chapel and as rural dean. Each of

¹ *Ibid.* fo. 70 (Appendix no. 6).

² Respectively: Cott. MS. Dom. A. iii fo. 70; fo. 72; fo. 72v; fo. 68v; fo. 69v; fo. 72.

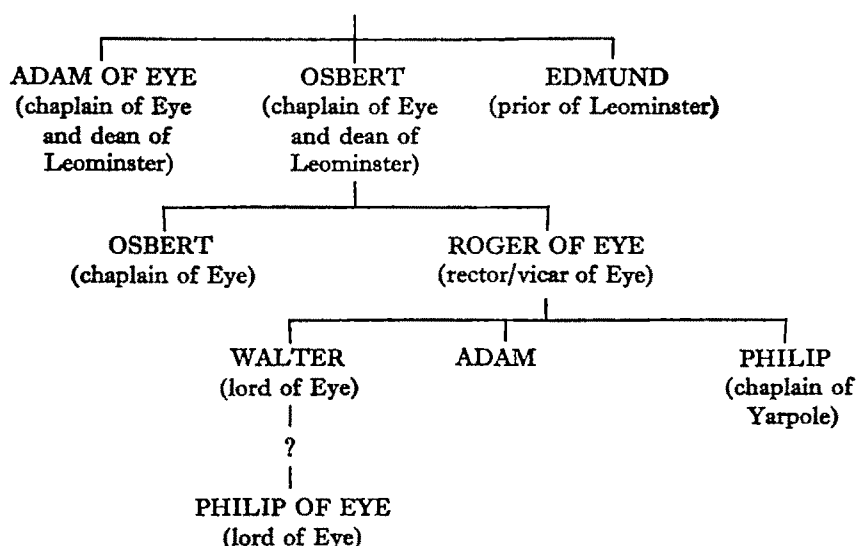
³ *Ibid.* fo. 104v.

⁴ Eg. MS. 3031 fo. 56; printed by A. Morey and C. N. L. Brooke, *The Letters and Charters of Gilbert Foliot* (Cambridge, 1967), pp. 386-7.

⁵ Cott. MS. Dom. A. iii fo. 80. The obit of an Osbert the dean was noted in the calendar in the Reading Abbey almoner's cartulary (Cott. MS. Vesp. E. v fo. 12).

⁶ Cott. MS. Dom. A. iii fo. 77.

these statements is necessarily tentative, but the coincidence of so much circumstantial evidence makes it fairly certain that this reconstruction is correct. If such is the case, the genealogy may now be extended thus:



Adam of Eye was the incumbent in the mid twelfth century and his brother, Osbert the elder, perhaps in the eleven-sixties to eleven-seventies, being succeeded as chaplain in 1173-86 by Osbert the younger. This Osbert's brother in turn became the incumbent in the early thirteenth century and remained in the church until 1254.¹

The benefice of Eye, therefore, remained in the same family for over 100 years. Two of the incumbents were married, for they had sons, and the two sons of Osbert the elder succeeded him in turn in the living. Moreover, during the same period the incumbents held the lay tenement of Eye which came to be known as the manor of Eye, at times along with other lands in the vicinity. It was no doubt partly their possession of land of lay fee in and near Eye which tied them closely to their local secular environment and

¹Professor and Mrs. Cheney have printed two letters of Innocent III concerning the rectory and vicarage of the church of *Eys*, which they have identified as Eye in Herefordshire (*The Letters of Pope Innocent III concerning England and Wales*, ed. C. R. and Mary G. Cheney (Oxford, 1967), pp. 17, 202). These letters date from 1199 and refer to a William of Calne as rector, to two vicars with names beginning with S and A, and to an interference in the church by two clerks of the diocese of London with names beginning with R and S, whom the diocesan bishop was alleged to have intruded into the church. None of these persons occurs in other contexts in connection with the church of Eye and the form *Eys* is never found elsewhere for the place-name Eye. The letters of Innocent III must refer to some other church, probably in the diocese of Hereford, since they are addressed to the heads of three Herefordshire religious houses (Dore, Wigmore and Leominster): they cannot refer to Eye. In the light of this, the reference to William of Calne in C. R. Cheney, *Hubert Walter* (1967), p. 167, needs amending.

made it more difficult for Reading Abbey or anyone else to dislodge them from their benefice. Here, in short, is another example at the parochial level to set beside the cases of marriage of clergy and family descent of benefices which have been observed among the higher clergy in the twelfth century.

In this case the problems were overcome early in the second half of the thirteenth century and the church of Eye thereafter was of the familiar type of benefice appropriated to a religious house, with a perpetual vicar to minister to the spiritual needs of the parishioners, but the confused history of the living gave scope in Edward's reign for the then lord of Eye to open his case against Reading Abbey concerning the advowson. He based his claim on the contention that the advowson belonged to the manor of Eye and that an earlier lord of that manor had granted the church to his clerk. This was a misrepresentation of the facts, as has been seen, but one which was quite understandable when brother had succeeded brother in the benefice. Philip of Eye lost his case and was obliged to quitclaim the advowson to the abbey,¹ but still the case must have caused the abbey considerable anxiety, for the loss of so valuable a church with its chapels (reckoned in 1291 to be worth £45 6s. 8d. per annum)² would have been a serious one. The history of the church of Eye during this period reveals the complex problems which the reform programme met in attempting to abolish the married state of the lower clergy and the hereditary benefice. Even under the patronage of a great abbey, founded as a Cluniac house in the eleven-twenties, the church of Eye cannot be said to have experienced the reform to the full until the middle of the thirteenth century.

BRIAN R. KEMP

APPENDIX

1. Charter by Abbot Joseph and the convent of Reading to Osbert son of Osbert, granting the chapel of Eye as his father held it, for an annual render of 3 marks. Osbert renounces all the additions of lands acquired by his uncle Adam. (1173-86)

Sciant presentes et futuri quod ego J(oseph) abbas Radig' ejusdemque loci conventus concessimus Osb(erto)* filio Osb(erti) capellam de Eya cum omnibus appendiciis suis ad ipsam pertinentibus sicut eam pater suus tenuit anno et die quo de hac patria discessit pro tribus marcis annuatim reddendis, xx. sol' ad festum apostolorum Petri et Pauli et xx. sol' ad festum sancti Michaelis. Ipse vero Osb(ertus) penitus renunciavit omnibus incrementis terrarum quas habuit Adam patruus suus, scilicet duabus virgatis, uni que est in Birchour' et alteri que est in Michelet', necnon et iiii. acris in Yarpoll' et xiiii. in Lustun', cum uno molendino quod fuit in insula prope domum ipsius Ade, set et omnibus acris quas ei homines nostri tempore guerre contulerunt. Preterea memorie fidelium attentius commendari volumus quod in iiii. precipuis festis anni, in die natali

¹Cott. MS. Dom. A. iii fo. 161v.

²*Taxatio*, p. 159.

* For this expansion, see Brit. Mus., Cott. MS. Domitian A. iii fos. 77v, 166.

domini, die purificationis, parasceve, et die resurrectionis domini, tam Osb(ertus) quam parrochiani sui de Eya, sponsus et sponsa, venient ad matricem ecclesiam suam de Leom' cum oblationibus suis. Hanc conventionem lectam et confirmatam in capitulo Rading' juravit isdem Osb(ertus) supra sanctum ewangelium firmiter tenendam quamdiu vixerit nisi vitam suam mutaverit. Hec conventio rata erit et stabilis quamdiu nobis fidelis extiterit et predictam pensionem predictis terminis bene et plene reddiderit. Testibus.

Text, Brit. Mus., Cott. MS. Domitian A. iii fo. 120 (Leominster cartulary).

2. Confirmation by Robert Foliot, bishop of Hereford, of arrangements made by Abbot Joseph of Reading concerning the burial of the dead of Brimfield, a chapelry dependent upon the church of Eye. (1174-86)

Universis sancte matris ecclesie filiis Rob(ertus) dei gratia Heref' episcopus perpetuam in Christo salutem. Super concessione quam abbas Radig' fecit magistro A. et parrochianis de Brumfeld' de pauperibus ibidem sepeliendis, talis ab eodem abbate et capitulo de Leom' litterarum forma nobis transmissa est.

'Sciant presentes et futuri quod ego J(oseph) abbas Radig' consilio et assensu conventus et petitione Osb(erti) vicarii nostri concessimus ut homines de Brumfeld' quorum paupertas non sinit eos ad matricem ecclesiam deferri, apud Brumfeld' sepeliantur. Ceteri autem tam viri quam mulieres ad arbitrium et dispositionem predicti Osb(erti) et vicariorum post ipsum futurorum in ecclesia nostra de Eya, ad predictam ecclesiam de Eya deferantur et sepeliantur, servata in omnibus indempnitatem ecclesie de Leom' et de Eya, ad quam prefata capella de Brumf' pertinet'.

Et nos concessionem istam secundum prescriptam formam ratam habemus eamque auctoritate episcopali et sigilli nostri attestatione confirmamus.

Text, Brit. Mus., Cott. MS. Domitian A. iii fo. 60v.

3. Charter by Abbot Simon and the convent of Reading to Roger of Eye, granting the land of lay fee which his brother Osbert held for life in Yarpole and Eye. (1213-26)

Sciant (presentes et futuri quod ego Symon dei gratia abbas Rading' et ejusdem loci conventus dedimus et concessimus et hac presenti carta)^b confirmavimus Rogero de Eya totam terram de laico feodo quam Osb(ertus) frater suus habuit tantum ad vitam suam in Yarepoll' et in Eya, cum pratis, pasturis, assartis, mariscis, masuagiis [sic], virgultis et omnibus aliis ad idem laicum tenementum pertinentibus, quam idem Osb(ertus) in curia nostra nobis resignavit solutam et quietam de omni jure quod in illa habuit. Habend' et tenend' quamdiu vixerit libere et quiete, reddendo inde nobis annuatim tres marcas argenti pro omni servitio ad nos pertinente, quantum ad illud tenementum, ad quatuor terminos; videlicet ad festum apostolorum Petri et Pauli v. sol', ad festum sancti Michaelis v. sol', ad purificationem beate Marie xv. sol', et ad ascensionem domini xv. sol'. Post mortem vero ipsius R(ogeri) concessimus quod Walt(erus) primogenitus ejus habeat et teneat libere et quiete sibi et heredibus suis totam predictam terram de

^bThe passage in brackets is represented in the cartulary text by *et cetera*. The charter is entered in a section devoted to the acts of Abbot Simon, so that the identity of the grantor is not in doubt, and the bracketed passage is taken from the text of the first act entered in this section.

laico feudo cum pertinentiis suis per idem servitium. Et si ipse W(alterus) patrem suum non supervixerit Adam filius ejus si vixerit vel Ph(ilippus) filius ejusdem si uterque decesserit jure heredit(ario) tenebit predictam terram per idem servitium. Et quicumque de predictis filiis prefatam terram tenuerit, erit in consilio nostro de se maritando et aliis, cum consilio aliorum amicorum suorum. Testibus.

Text, Brit. Mus., Cott. MS. Domitian A. iii fo. 132.

4. *Grant by Hugh de Mapenore, bishop of Hereford, of the appropriation of the church of Eye to Reading Abbey. (1216-19)*

Omnibus sancte matris ecclesie filiis presens scriptum visuris Hugo dei gratia Herefordens(is) episcopus, eternam in domino salutem. Quoniam religiosorum loca pio semper et benigno sunt favore promovenda, et ab illorum quorum interest provida dispensatione ita viris religiosis in necessariis providendum, ut contemplationi et orationi libere vacare et hospitalitatem que comes religionis esse debet tam effectu sectari possint quam affectu; pensatis dilectorum filiorum abbatis et monachorum Rading' meritis preclaris et caritate fervida, qui bona sibi a domino collata in usus pauperum et hospitem susceptionem liberaliter effundere solent, ut ipsi liberius divinis quibus se voverunt obsequiis intendant et cum diffusioris amplificatione caritatis bonum caritatis foveant; dictis abbati et conventui Rading' auctoritate pontificali de unanimi totius capituli nostri assensu concedimus et confirmamus ecclesiam de Eya cum omnibus capellis ad eam spectantibus et omnibus pertinentiis suis in usus proprios perpetuo possidendam, salva de eadem ecclesia competenti vicaria, scilicet centum solidorum. Ita quod vicarius sustineat onera predictae ecclesie tam episcopalia quam archidiaconalia, proviso quod capellis ad dictam ecclesiam spectantibus honeste et modo debito deserviat. Ut autem hec nostra concessio perpetue robur firmitatis in posterum optineat, eam presenti scripto et tam sigilli nostri quam sigilli capituli nostri impressione confirmare curavimus. Hiis testibus: Th(oma) decano, W(illelmo) precentore, H(elia) thesaurario, A(lbino) cancellario, W(illelmo) archidiacono Heref', H(ugone)^c archidiacono Salopesire, Gregorio, Roberto capellano, Nicolao, Turri clericis, Hugone de Fulef', et multis aliis.

Text, Brit. Mus., Egerton MS. 3031 fos. 97v-98 (Reading cartulary). Also: Cott. MS. Domitian A. iii fo. 67.

5. *Admission and institution by Hugh de Mapenore, bishop of Hereford, of the abbot and convent of Reading in the rectory of Eye, on the resignation of the previous incumbent, Roger. (1216-19)*

Omnibus sancte matris ecclesie filiis presens scriptum visuris H(ugo) permiasione divina Hereford(ensis) ecclesie minister humilis, eternam in domino salutem. Ad universitatis vestre notitiam volumus pervenire nos facta sollempni resignatione ecclesie de Eya ab Rog(ero) quondam ejusdem ecclesie vicario, abbatem et conventum de Rading' ad predictam ecclesiam admississe ipsosque in eadem personas canonice instituisse, salva perpetua vicaria vicario ibidem pro tempore ministranti assignata, sicut in carta nostra et capituli nostri continetur. Ut igitur hec nostra institutio rata et inconcussa futuris temporibus permaneat, eam presenti scripto et sigilli nostri munimine corroboravimus. Hiis testibus: Thoma decano

^cFor these expansions, see Z. N. and C. N. L. Brooke, 'Hereford cathedral dignitaries in the 12th century', *Cambridge Hist. Jour.*, viii (1944-6), 7-18.

Hereford, W(illelmo) archidiacono Heref', H(ugone) archidiacono Salopesbir', magistro Albino cancellario Hereford, magistro Nicholao de Wlvereham', Willelmo le Poher, domino R. Celler', et multis aliis.

Text, Brit. Mus., Egerton MS. 3031 fo. 100v. Also: Cott. MS. Domitian A. iii fo. 67v.

6. Award by the prior of Wallingford, as papal judge-delegate, in the case between Reading Abbey and Roger, vicar of Eye, concerning the church of Eye. (1251)

(U)niversis Christi fidelibus prior de Walingeford iudex a domino papa delegatus, salutem in domino. Noverit universitas vestra nos mandatum domini pape suscepisse in hec verba.

'Innocentius episcopus servus servorum dei dilecto filio priori de Walingeford' Sarebir' diocesis, salutem et apostolicam benedictionem. Dilecti filii abbas et conventus de Rading' Cluniac(ensis) ordinis nobis conquerendo monstrarunt quod Rogerus perpetuus vicarius de Eya, Hugo Godard' et quidam alii clerici et laici Saresbir' Lincoln' et Hereford' civitatum et diocesum super decimis, possessionibus, terris, debitis et rebus aliis iniuriantur eisdem. Ideoque discretioni tue per apostolica scripta mandamus quatinus partibus convocatis audias causam et appellatione remota fine debito decidas, faciens quod decreveris per censuram ecclesiasticam firmiter observari. Testes autem qui fuerint nominati, si se gratia odio vel timore subtraxerint, per censuram eandem appellatione cessante compellas veritati testimonium perhibere. Dat' Lugdun' v. idus Julii pontificatus nostri anno quarto. (1246)'

Hujus igitur auctoritate mandati, parte abbatis et conventus coram nobis in iudicio constituta et contra Rogerum vicarium de Eya edendo proponente quod, cum contentus esse debeat vicaria centum solidorum sibi taxata sicut in auctenticis instrumentis episcopi et capituli Hereford' continetur, majorem portionem in decimis et obventionibus ad ecclesiam suam de Eya spectantibus in eorum prejudicium et gravamen percipere presumit quam sit ei a jure debita, propter quod petunt dicti abbas et conventus ipsum a tali perceptione per censuram ecclesiasticam desistere compelli et sibi de perceptis justitiam exhibere, hec dicunt, et cetera. Tandem dicto vicario in iudicio coram nobis per Phillippum de Eya procuratorem suum legitime ordinatum comparente ad confitendum et recognoscendum in jure ecclesiam de Eya ad abbatem et conventum de Rading' pleno jure spectare et ipsum nullum jus habere in firma dicte ecclesie nec in capellis nec in decimis vel obventionibus ad ipsam spectantibus, salva sibi vicaria centum solidorum in qua institutus fuit a bone memorie Hugone de Mappenoure loci diocesano ad presentationem Symonis abbatis et conventus de Rading' et ad eandem bone memorie Hugone Foliot tunc episcopo Hereford' in presbiterum ordinatus, dictus procurator sub predicta forma constitutus confessionem in jure et recognitionem sub forma sibi demandata ut predictum est fecit. Nos autem prenominationis auctoritatem judicariam inpartiri volentes, si predictus Rogerus vel aliquis alius contra predictam confessionem et recognitionem venire attemptaverit, ipsum cohercendi jurisdictionem nobis reservamus in perpetuum. In cujus rei testimonium presenti scripture sigillum nostrum duximus apponendum. Acta in ecclesia conventuali de Walingeford' die lune proxima post festum sancti Dionisii, anno domini M° CC° quinquagesimo primo.

Text, Brit. Mus., Cott. MS. Domitian A. iii fo. 70.

7. *Letters of Abbot Richard and the convent of Reading, presenting William de Waltham to the vicarage in the church of Eye. (1254)*

Viro venerabili et discreto domino A(nselmo) decano Herford' vices domini episcopi ejusdem loci gerenti R(icardus) permissione divina abbas Rading' et ejusdem loci conventus, unanimis [*sic*] eternam in domino salutem. Dilectioni vestre presentamus Willelmum de Waltham clericum nostrum ad vicariam centum solidorum in ecclesia de Eya vacantem per decessum Rogeri quondam vicarii ejusdem loci, que ad nostram pertinet presentationem; rogantes attentius quatinus divine pietatis intuitu ipsum Willelmum ad dictam vicariam admittere et eum in eadem ecclesia vicarium ad nostram presentationem instituere velit. Valete semper in domino. Dat' apud Rading' die sancti Ambrosii, anno domini M° CC° lliiii°.

Text, Brit. Mus., Cott. MS. Domitian A. iii fo. 136.

‘Doctor evangelicus super omnes evangelistas’: Wyclif’s Fortune in Hussite Bohemia¹

TWO GREAT ENGLISHMEN penetrated significantly into Czech history and culture. Neither of them was aware of this, and neither knew much about Bohemia. Shakespeare, who in his *Winter’s Tale* had the kingdom of Bohemia surrounded by the sea, did not need to; he will belong to England and the world. It was somewhat different with Shakespeare’s countryman John Wyclif: he, it may be said, lived two lives, one in his native country and the other in Hussite Bohemia. And it is to this second ‘life’, the historical importance of which was just as great as the first, that this paper will be devoted.

For Wyclif as well as for most of his contemporaries this faraway country, although at that time the seat of the Holy Roman Emperor, appeared only once in a more significant context. The connection arose at a very exciting time, for the marriage of Richard II with the daughter of the deceased emperor Charles IV, the sister of the reigning king of Bohemia Wenceslas, took place not long after the suppressed uprising of Wat Tyler. Wyclif did not fail to notice the great piety of the ‘good queen’ Anne and especially her profound interest in the bible. It would be nothing but ‘luciferina superbia’ to accuse Queen Anne of heresy for owning the Gospel in Czech, German and Latin. Wyclif deduces that it would be just as foolish to criticize the work simply because it was written in English.² Queen Anne came from a country where biblicism had a long tradition but where endeavours to translate the bible into the national language encountered just as much opposition as in England. The translations by Wyclif’s followers did not therefore remain unnoticed in Bohemia. It was certainly not by chance that the original Latin version of Purvey’s defence of the national bible was preserved only in a Hussite manuscript and that the same if not an even bigger interest was expressed in Bohemia in the exegetical works of the Wyclif school.³ The existence of that close link between the Oxford

¹ Read during the Anglo-Czechoslovak Conference of Historians held in London and Oxford, September 1968.

² See J. Wyclif, ‘De triplici vinculo amoris’, in *Polemical Works in Latin*, ed. R. Buddensieg (2 vols., 1883), i. 168. It is worth mentioning that Hus quotes this passage verbatim in his treatise ‘Contra Iohannem Stokes’, *Opera omnia*, xxii, *Polemica*, ed. J. Eršil (Prague, 1966), p. 62. See also J. Loserth, *Huss und Wiclif, Zur Genesis der hussitischen Lehre* (München u. Berlin, 1925). On the marriage of King Richard, see J. H. Heeren, *Das Bündnis zwischen König Richard II. von England und König Wenzel vom Jahre 1381* (Halle Diss., 1910) and A. Steel, *Richard II* (Cambridge, 1941).

³ The text of Purvey’s defence ‘De versione bibliorum’ is noted by F. M.

and Prague reformist schools which developed only after the death of Wyclif is here tacitly assumed.

The mention of Queen Anne is justified for another reason. Beginning with the negotiations over her marriage, contacts between both countries increased to an extent hitherto unimagined. Besides official missions and new marriage relations—including not only the union of the two dynasties but also marriages of Bohemian nobility in the queen's entourage—there was also an increase in mutual relations in the spiritual sphere.¹ 'Peregrinatio academica' between the universities of Oxford and Prague was no longer a rare exception, even though in the eyes of students from the Czech lands Oxford was not nearly as attractive as universities in countries nearer at hand. However, the fact that in 1388 special scholarships had already made it possible for Bohemian students to study in Oxford, where Beam Hall became the temporary home of Czech scholars, proves the increase in popularity of the teaching of Oxford and its measure of direct support.² Books and ideas followed the movements of students: among them the foremost place was taken by the works of Wyclif.

The first response to Wyclif's teaching at the university of Prague appeared very early. If it is sometimes still doubted whether Master Vojtěch Raněk of Ježov (who founded scholarships at Oxford and himself taught there) was influenced by the English Doctor,³ there exist other

Bartoš, 'Hus, Lollardism and Devotio Moderna in the fight for a national Bible', *Communio viatorum*, iii (1960), 247 ff.; Bartoš also provides some corrections to the basic work, M. Deanesly, *The Lollard Bible and other Medieval Biblical Versions* (Cambridge, 1920, repr. 1966). On the diffusion of Purvey's Explanation of the Apocalypse in Bohemia see B. Ryba, 'Strahovské Zjevení. Český husitský výklad na Apokalypsu a jeho latinská lollardská předloha Johna Purveye (The Strahov revelation: a Czech Hussite explanation of the Apocalypse and its Latin Lollard model by Jon Purvey)', *Strahovská knihovna*, i (Prague, 1966), 7-29.

¹For a general discussion of these contacts see Loserth, *Huss und Wiclif*, p. 203; O. Odložilík, 'Wyclif and Bohemia', *Mémoires de la Société Royale des Sciences de Bohême, classe des lettres*, année 1935 (1936), no. 1; R. R. Betts, 'English and Czech influences on the Hussite movement', *Trans. Royal Hist. Soc.*, 4th ser., xxxi (1939), 71-102 (repr. in Betts, *Essays in Czech History* (1969), pp. 132-59).

²On students from the Czech lands in Oxford see R. F. Young, 'Bohemian scholars and students at the English universities from 1347 to 1750', *Eng. Hist. Rev.*, xxxviii (1923), 72-84 and more recently A. B. Emden, *A Biographical Register of the University of Oxford to A.D. 1500* (3 vols., Oxford, 1957-9). The foundation document of 1388 was published by J. Loserth, 'Beiträge zur Geschichte der hussitischen Bewegung. Nachträgliche Bemerkungen zu dem Magister Adalbertus Ranconis de Ericinio', *Mittheilungen d. Vereines f. Gesch. d. Deutschen in Böhmen*, xvii (1879), 210-12. On Beam Hall see W. A. Pantin, 'The Halls and Schools of Medieval Oxford, an Attempt at Reconstruction', in *Oxford Studies presented to Daniel Callus* (Oxford Hist. Soc., new ser., xvi, 1964), p. 65.

³On this question cf. also A. Lang, *Heinrich Tottin von Oyta* (Münster i. W., 1937), p. 28 (arguing that Raněk was not a Realist); R. Říčan, 'Johlín z Vodňan', *Mémoires de la Société Royale des Sciences de Bohême, classe des lettres*, année 1929 (1930), 139-42; F. M. Bartoš, *Husitství a cizina (Hussitism abroad)* (Prague, 1931), p. 15; J. Kadlec, *Mistr Vojtěch Raňkův z Ježova* (Prague, 1969), pp. 22, 65, etc. That Raněk really was in Oxford was proved by P. Lehmann, *Mitteilungen aus*

witnesses who prove it quite clearly. Already during Wyclif's lifetime, shortly before 1380, the Prague professor of theology Nicholas Biceps¹ attacked Wyclif's doctrines of the Eucharist. Doubts whether this Bohemian Dominican had personal knowledge of Wyclif's works were recently shaken by the discovery of the introduction to the second book of Biceps's Commentary *In Sentencias Petri Lombardi*, which among other items contains a discussion of the problem of universals.² The account of this discussion proves that not only Biceps, but also his opponent (most likely Konrad Soltau) had a direct acquaintance with Wyclif's philosophical opinions. In the same manuscript there is a fragment of another lecture, which also attacks Wyclif's arguments. The fact that the author of this work lived in Prague in the thirteen-sixties, is further proof that the philosophical tracts of the English reformist were known at Charles University long before the appearance of the 'Wyclifites', Stanislav of Znojmo and Stephen Pálec.

It is interesting that in this first period, between the end of the thirteen-seventies and the middle of the thirteen-nineties, Wyclif's theses were not well received either by Czech scholars or by representatives of the Czech reformist school.³ This is all the more surprising as in the Czech cultural tradition Augustinianism and Scotist Realism had a profound and almost all-embracing influence. These elements penetrated very early into Czech lyric and didactic poetry, influenced distinctly the profounder levels of contemporary creative art, and last but not least were omnipresent in the reformist works of Milič of Kroměříž and Matthew of Janov.⁴ But this is not all. Biceps himself, when contending with the 'heretical' opinions of Wyclif, was a strict Realist who did not hesitate to use against the Ockhamists Anselm's well-known phrase concerning 'fiendish heretics'.

Handschriften VII., 1. *Adalbertus Ranconis de Ericinio* (Sitzungsberichte d. Bayer. Akad. d. Wiss., Phil.-hist. Kl., 1942, Heft 10), p. 9; cf. also Emden, iii. 1547.

¹E. Stein, 'Mistr Mikuláš Biceps (Master Nicholas Biceps)', *Mémoires de la Société Royale des Sciences de Bohême, classe des lettres*, année 1928 (1929), IV, pp. 43-4, puts Biceps's commentary in 1378; he presumes, however, that Biceps learned about Wyclif's thesis indirectly.

²See D. Trapp, 'Clm 27034. Unchristened nominalism and Wycliffite realism at Prague in 1381', *Recherches de théologie ancienne et médiévale*, xxiv (1957), 320-60. Trapp, however, does not know the above mentioned article by Stein.

³Archbishop John of Jenštejn for example called Wyclif in 1385-6 the worst heretic, rejected his opinions on the poverty of priests, etc. See also J. Sedlák, 'Jenštejnův traktát "De consideratione" (Jenštejn's tract "De consideratione")', *Studie a texty*, ii (1915), 35ff., 41, 43, 105.

⁴E. Winter, *Frühhumanismus. Seine Entwicklung in Böhmen und deren europäische Bedeutung für die Kirchenreformbestrebungen im 14. Jahrhundert* (Berlin, 1964) *passim*; J. B. Čapek, 'Alegorie Nové rady a Theriobulie (The allegory of the Nová rada and the Theriobuly)', *Mémoires de la Société Royale des Sciences de Bohême, classe des lettres*, année 1936 (1937), no. 2, p. 34; J. Krása, *Humanistische und reformatorische Gedanken in der höfischen Kunst Wenzels IV.* (Acta Historiae Artium Academiae Scientiarum Hungaricae, xii (1-3), 1967), pp. 197-203; R. R. Betts, 'The influence of realist philosophy on Jan Hus and his predecessors in Bohemia', *Slavonic and East European Rev.*, xxix (1951), 402-19 (repr. in Betts, *Essays*, pp. 43-62).

This leads to the first more serious problem: how to explain that it was only in the thirteen-nineties that Wyclif's philosophy of extreme Realism was given a positive reception by a group of Czech Masters? Whereas formerly Wyclif the philosopher was not appreciated by Prague scholars, Stanislav of Znojmo and Stephen Pálež now wrote philosophical tracts penetrated to such an extent by his method of thought that modern editors and experts have linked them with the name of the Oxford Master.¹ Yet these works do not give an explicit answer to the above question. This is actually only outlined in the marginal notes to some of Wyclif's philosophical tracts, which the young John Hus himself copied in 1398. 'Haha, Germans, haha, out, out': the glossator does not hide his nationalist bias and just as pointedly he praises Wyclif's criticism of Aristotle and Averroes. Besides remarks expressing enthusiasm and agreement there are others which do not hide a certain caution. The reading matter was clearly not easy for the glossator and so for example in the work 'De Ideis' he warns against its being recommended to 'non intelligentibus'. This awareness of cautious responsibility which is linked with admiration for an intellectually attractive system sounds like a prophecy in the well-known proclamation: 'O, Wycleff, Wycleff, more than one head you have turned'.²

The anti-Aristotelian tone of these glosses relates only to Aristotle's conception of universals 'in re' and not to the whole corpus of his works. Much more decisive are the glosses directed against the German Masters of Prague University, none of whom, as far as is known, associated themselves with extreme Realism. However, far from all the German Masters and professors were nominalists, and far from all the Czech Masters were in favour of the eccentricities of Wyclifite Realism.³ Wyclif's philosophy met with opposition mainly from the moderate Realists, who formed the

¹ Stanislav's tract 'Cum multis in philosophia' was published as Wyclif's work 'De universalibus' in J. Wyclif, *Miscellanea philosophica*, ed. M. Dziewicki (2 vols., 1902-5), ii. 1-188. The same editor published *ibid.*, pp. 173-88 Pálež's quaestio 'Utrum universalia solum nude habeant esse ydeale', etc. For documentary evidence see especially S. H. Thomson, 'Some Latin works erroneously ascribed to Wyclif', *Speculum*, viii (1928), 382-91.

² Hus's copy of Wyclif's philosophical tracts is in Stockholm Royal Libr., Codex Holmiensis A 164. The glosses mentioned below are in *Miscellanea philosophica*, i, pp. lxi-lxiii and V. Novotný, *M. Jan Hus* (Prague, 1919-21), i. 59-61. According to a paleographical analysis by V. Vojtšek the glosses were not written by Hus: cf. Bartoš, *Husitství a cizina*, p. 30, n. 24.

³ This was already pointed out half a century ago by J. Sedlák, 'Filosofické spory pražské v době Husově (Philosophical disputes in Prague at the time of Hus)', *Studie a texty*, ii (1915), 197-262. In spite of this the Prague dispute about the Universals is most often cited as one between Realists and nominalists. For sources and references see also J. Kváčala, 'Wiklef a Hus ako filosofi (Wyclif and Hus as philosophers)', *Mémoires de la Société Royale des Sciences de Bohême, classe des lettres*, année 1923 (1924), no. 1; E. Stein, 'Wiklif a tak zv. výstřední český realismus (Wyclif and the so-called extreme Czech Realism)', *Český časopis historický*, xlii (1946), 55-74 and J. B. Čapek, 'Hus ve vztahu k realismu a nominalismu (Hus in his relation to Realism and nominalism)', *Filosofický časopis*, xv (1967), 153-8.

majority at the theological faculty. Thus a new situation arose naturally inside the 'Natio Bohemorum'. The young generation of nonconformist Masters headed by Stanislav of Znojmo associated themselves with Wyclif not only for reasons of Czech-German antagonism, which among other things had its roots in the long-lasting emancipation struggle of the Czech university 'nation', but also because the philosophy of extreme Realism helped them to find their own image and programme which went beyond the reformist opportunism of the influential doctors and Masters of the preceding generation. The contradiction that arose was suppressed in the common interest during the struggle for increased influence in the government of the university; it was, however, of such a fundamental character that up to 1409 it practically excluded the possibility of a united front of the 'Natio Bohemorum' in the defence of Wyclifism.

The enthusiastic study of Wyclif's philosophical tracts as well as the slight knowledge of the reformist-critical contents of his other works hitherto unknown in Prague, led some young radicals to procure them directly at the source. According to a later testimony Master Maurice Rvačka, well known as a sharp anti-Hussite satirist, was the first to go to Oxford for this purpose.¹ More significant was Jerome of Prague's visit to Oxford in 1399-1401, which resulted in his acquisition of copies of Wyclif's *Dialogue* and *Trialogue*, and most probably also the Eucharistic tracts.²

At that time there began the widespread critical study of Wyclif's texts, thanks to which the greater part of the works of the English reformists were copied and preserved in Bohemian and Central European libraries.³ Soon after Jerome, the Bachelors Nicholas Faulfisch and George of Kněhnic visited England; they approached their task with a great sense of responsibility. Besides coming back with perfect copies of texts, they made numerous contacts with English Lollards, mainly in Northamptonshire. Their initiative found a great response and contributed significantly to the growth of contacts between England and Prague, chief among which were Hus's correspondence with Sir John Oldcastle and Richard Wych, and the activity of Peter Payne about which more will be said later.⁴

¹ See Bartoš, *Husitství a cizina*, p. 255 and R. Urbánek, 'Mařk Rvačka jako protihusitský satirik (Maurice Rvačka as an anti-Hussite satirist)', *Časopis Společnosti přátel starožitností českých*, lxiii (1955), 1-24.

² I have discussed Jerome's stay in Oxford in my book *Jeroným Pražský (Jerome of Prague)* (Prague, 1966), pp. 49-57. See also my study 'Leben und Werk des Magisters Hieronymus von Prag', *Historica*, xiii (1966), 81-111, and R. R. Betts, 'Jerome of Prague', *Univ. of Birmingham Hist. Jour.*, i (1947-8), 51-91 (repr. in Betts, *Essays*, pp. 195-235).

³ See in this connection *Shirley's Catalogue of the Extant Latin Works of John Wyclif*, revised by J. Loserth (1924).

⁴ On Faulfisch and Kněhnic see Loserth, *Huss und Wiclif*, pp. 193-9 and F. M. Bartoš, 'Husův přítel z Českých Budějovic (Hus's friend from České Budějovice)', *Jihočeský sborník historický*, xix (1950), 43-4. On contacts between Hussites and Lollards see Loserth, *Huss und Wiclif*, pp. 205 ff., Novotný, *M. Jan Hus*, i. 457-60 and H. Kaminsky, *A History of the Hussite Revolution* (Berkeley and Los Angeles, 1967), p. 75 with references to editions.

The first discussions 'more scholastico' about the subtle questions of Wyclif's concept of universals had not yet died down when their theological consequences came to the centre of attention. Can Wyclif's theological heresy, however, be directly deduced from his Realist philosophy? This is a question to which doctrinal study has not yet given an unequivocal answer.¹ If the opponents of extreme Realism in Prague and later in Constance, Cologne and elsewhere designated the Wyclif-Plato concept of universals as 'causa errorum', his defenders looked on it in their teacher's own words as a 'gradus precipuus scale sapientie ad indagandum veritates absconditas'.² The spokesmen of extreme Realist circles in Prague did not at all admit the heterodoxy of their philosophical position; the teaching about universals 'ex parte rei' was understood by them as the only true path to knowledge. As soon as the philosophical propositions were included in the list of erring articles, their advocates began tactically to defend themselves by solving questions concerning the universals 'scholastice' or 'disputative'. These defences, which were to give the impression that Wyclif's metaphysical system was irrelevant to heresy, appeared, however, in an atmosphere of bans and church trials, so that the only meaning which can be ascribed to them is a severely practical one.³

Wyclif's extreme concept of universals did not in itself, however, determine the thoroughness of the reformist and critical attitudes of its Prague advocates and was not the only philosophical impulse discernible in the radical trends of Hussite ideology. A striking proof of this is the apostasy of the former 'arch-Wyclifites' Stanislav of Znojmo and Stephen Pálec, about whom Hus sarcastically proclaimed that they threw away their Realist past 'ad cloacas'.⁴ Just as significant is the different approach of the leading representatives of the Prague reformist school to such fundamental questions as the conception of the Eucharist. While Hus remained faithful to transubstantiation, Jakoubek of Stříbro admitted remanence with certain limitations.⁵

¹ Cf. e.g. the attack by P. De Vooght in *Revue d'histoire ecclésiastique*, lxii (1967), 830-4 on the position of G. A. Benrath, *Wyclifs Bibelkommentar* (Berlin, 1966). Decisive significance for the interpretation of Wyclif-Hussite revolutionary teaching is ascribed to extreme Realism by R. Kalivoda, *Husitská ideologie (Hussite ideology)* (Prague, 1961), pp. 103-5 and Kalivoda, 'Joannes Wyclifs Metaphysik des extremen Realismus und ihre Bedeutung im Endstadium der mittelalterlichen Philosophie', *Miscellanea Mediaevalia*, ii (Berlin, 1963), 716-23.

² The passage from Wyclif's tract 'De universalibus', Cambridge, MS. Trinity College B. 16 2 fo. 24r^v, is quoted from J. A. Robson, *Wyclif and the Oxford Schools* (Cambridge, 1961), p. 154, n. 1.

³ For the preceding paragraph see F. Šmahel, 'Universalia realia sunt heresis seminaria', *Československý časopis historický*, xvi (1968), 797-818.

⁴ Hus's invective in the treatise 'Contra Stephanum Palecz', in *Polemica*, ed. Eršil, p. 252.

⁵ For sources and references see Kaminsky, *A History* (by index) and P. De Vooght, 'De l'usage de la philosophie en théologie: un exemple emprunté aux théologiens de la première Réforme; Wiclif, Huss, Jacobellus', *Historica*, 1970 (in the press).

In any attempt to summarize the significance of the Prague dispute about universals in the formation of Hussite revolutionary ideology, it must not be forgotten that further research can greatly alter any assumptions. At the beginning the learned speculations about universals acted like a catalyst to the search for a doctrine among the new generation of Czech reformers. Discussions about Wyclif's philosophical tracts naturally stimulated interest in his theological works and to a certain extent were a necessary precondition for their reception. Even though among the Prague Wyclifites there were also Masters like Jerome of Prague who saw their vital mission in the development and publicizing of extreme Realism, the heretical and critical conclusions of the learned Czech reformers did not follow so much from abstract propositions as from the revolt against the institutional church. If Hus and his colleagues were still in 1410 defending Wyclif as a philosopher, they only distracted attention from the actual reformist core and aims of Czech heresy. Soon afterwards Wyclif's Realism disappeared almost completely from Prague University, while in the neighbouring universities it was still mentioned for a long time as a warning: the heresy from which the Hussite movement arose.¹

The speed with which Wyclifism spread among the members of Charles University can be seen clearly in the distorting mirror of institutional doctrinal criticism and in the repressive measures used against the followers of the Oxford teacher. The signal for the anti-Wyclif campaign was the appearance in 1403 of the Silesian John Hübner who added to the twenty-four articles already condemned by the London synod twenty-one more, and with the aid of the Prague chapter enforced their rejection by the university.² These notorious forty-five articles, which loomed over the whole of Czech spiritual history during the first two decades of the fifteenth century, played, however, a contradictory rôle. Although they were supposed to prevent Wyclifism from spreading, they contributed in fact to its more effective propagation. For they revealed by simple, explicit and generally intelligible though often imprecise theses,³ those elements of Wyclif's teaching which could serve as slogans for a nation-wide opposition to the worldly and decadent church.

For Wyclif's reformist ideas to be brought closer to the horizons of the people two conditions had to be fulfilled. First the Czech lands had to provide fertile ground for spontaneous dissatisfaction resulting from social and other contradictions inside society and directed in the first place against the condition and the practices of the institutional church. Post-war historiography, both Marxist and non-Marxist, has come to agree that this

¹ For the first defence of the works of Wyclif in Prague in 1410 cf. Novotný, *M. Jan Hus*, i. 418-30. It is typical that the second defence of 1412 no longer dealt with philosophical problems. On the response to Prague extreme Realism at German and other universities, Šmahel, 'Universalia realia', pp. 809-12.

² Loserth, *Huss und Wiclif*, p. 77; Novotný, *M. Jan Hus*, i. 108 ff.

³ The Czech defenders of Wyclif continually objected to the fact that the articles did not correspond to the sense of the respective texts.

was the case.¹ Secondly it was necessary for the ideas of Wyclif to spread from the lecture halls to the pulpits and market places in a form which would correspond to the mentality of different social groups. Even though it might sound paradoxical, this was greatly helped by the anti-Wyclif campaign, almost as much as by the popularization and promotion of Wyclif's teaching by his Prague adherents.

The actual reason why the dispute about Wyclif was brought out into the open was the complete failure of the University Act of May 1403 and all the repressive measures which followed.² The more the teaching of Wyclif was suppressed the more it was defended by his Czech pupils. Wyclifites at the university took advantage of the fact that in the original academic discussion the national undercurrent came more and more to the fore: they presented their dispute over Wyclif to the Czech public as part of the struggle for the fulfilment of the natural rights 'of the holy Czech nation' within the university, in Prague and in the whole kingdom. The situation came to a climax just before 1409, mainly in connection with the publication of the decree of Kutná Hora. Seven or eight hundred foreign students and Masters left Prague in protest, taking with them a great hatred of Wyclifism, which for them would always be connected with the Czech heresy. Most of them were also to take an active part in the anti-Wyclif and anti-Hussite agitation in the international forum. The scandalous burning of Wyclif's books in 1410 and the subsequent trials of Hus and his friends only proved what had already become a fact: that Wyclifism had become a public matter and the scholastic debate an acute political issue.³

Wyclif's opponents, supported by the church institutions, did not rely merely on official punishments or condemnations; they also made full use of all the methods of the Wyclifites themselves. A special rôle in this respect was played by the pulpit, whence not only could warnings be heard, but

¹ On this see especially F. Graus, *Chudina městská v době předhusitské* (*The urban poor in the pre-Hussite period*) (Prague, 1949); Graus, *Dějiny venkovského lidu v době předhusitské* (*The history of rural society in the pre-Hussite period*) (2 vols., Prague, 1953-7), II and J. Macek, *Tábor v husitském revolučním hnutí* (*Tábor in the Hussite revolutionary movement*) (2 vols., Prague, 1956, 1955), I. These questions were widely discussed at the international Symposium Hussianum Pragense in 1965.

² More detailed information can be found in every significant monograph about Hus and his time. Cf. especially Novotný, *M. Jan Hus*; F. M. Bartoš, *Čechy v době Husově* (*Bohemia in the time of Hus*) (Prague, 1947); P. De Vooght, *L'hérésie de Jean Huss* (Louvain, 1960).

³ On the ideological context of Hussite nationalism see: F. Šmahel, 'The Idea of the "Nation" in Hussite Bohemia', *Historica*, xvii-xviii, 1969. For the secession of German Masters and students in 1409 see Šmahel, *Pražské universitní studentsstvo v předrevolučním období 1399-1419* (*Prague university students in the pre-revolutionary period 1399-1419*) (Prague, 1967), ch. iv. On the burning of Wyclif's books cf. the works mentioned in n. 2 above and on the first trials against Hus cf. J. Kejř, *Husitský právník M. Jan z Jesenice* (*The Hussite lawyer Master John of Jesenice*) (Prague, 1965), pp. 24 ff.

also far reaching polemical arguments.¹ If the vocabulary of the preachers included scurrilous and vulgarly demagogic expressions, it is not surprising that anonymous pamphlets and satires were full of them. 'Pestilentis' or 'famosissimus heresiarcha' Wyclif was described in them as the source of all vice, as the Satan and 'vas stercoris' whose significance could only be compared to that of the early Christian heretics and the prophet Mohammed. Similarly his Czech pupils were referred to as 'sequaces' of the heretic 'dampnate memoriae'. All were given the insulting nickname 'Wyclifitae, Wyclifistae', which was still used to describe Czech heretics at a time when it no longer really applied, and when the equally derisive terms 'Hussitae, Hussones' were already being employed.² So that the Wyclifites as a real sect should not lack a real 'mass' they were given it in the form of an aggressive parody. Its most popular and often repeated part was the so-called 'Liber generationis' giving the genealogy of all heretics beginning with the 'Devil's son' Wyclif. It would be tedious to enumerate all the more significant compositions of this type: among many others can be mentioned the verses profaning with modish scurrility the faith of the so-called 'Wyclifce', that is the devoted listeners to Hussite preachers.³

As far as the choice of words and means was concerned the Wyclifites kept well in step with their opponents. But in addition, from the very beginning, they purposely distorted the framework of the learned discussion and, often to the displeasure of other members of the Czech university 'nation', made their standpoint known to the lay public. At a time when Wyclif's conception of the Eucharist was not yet known even to the academic community, some Masters discussed it with the layman Thomas of Štítné.⁴ This example is, however, not typical: greater stress should be put on the preaching activity of the theologians of reformist leanings. It is significant that Hus, who according to the habit of the time very seldom attributed quotations from Wyclif to their author, appealed to his model in his first sermons at the Bethlehem Chapel. It should be added that he did this originally to demonstrate his attitude to the proscribed scholar.⁵ It is symbolical of Hus's approach to the inheritance from Wyclif that his

¹This also applies to a great extent to Master Stanislav of Znojmo and Stephen Pálež, who often attacked Hus from the pulpit of St. Mary's Church, Týn.

²Loserth, *Huss und Wiclif*, pp. 69-72 and F. Seibt, *Hussitica. Zur Struktur einer Revolution* (Köln-Graz, 1965), pp. 10-14.

³The most recent edition of the so-called 'Wyclifite mass' is in P. Lehmann, *Die Parodie im Mittelalter* (2nd edn., Stuttgart, 1963), pp. 217-23. The best analysis of the text is by Z. Nejedlý, *Dějiny husitského zpěvu (History of Hussite songs)* iii (Prague, 1955), pp. 369-75. The song 'Stala se jest přihoda', about a Wyclifite woman who undertakes to teach her faith to a young man, is published in *Výbor z české literatury husitské doby (Anthology of Czech literature of the Hussite period)*, i (Prague, 1963), pp. 281-3.

⁴Cf. Loserth, *Huss und Wiclif*, pp. 64-5.

⁵A. Schmidtová, 'Hus a Viklef (Hus and Wyclif)', *Listy filologické*, lxxix (1956), 222-4.

famous wish for his soul to rest one day next to the soul of Wyclif, was expressed in this same Chapel as early as July 1407.¹

Many other examples could be quoted of the esteem in which Wyclif was held. Jerome of Prague appealed to students to look for the 'vein of truth' in the works of the English reformer, a small stone that Nicholas Faulfisch brought from Wyclif's grave was honoured like a relic, a forged document from Oxford University about the religious blamelessness of its former teacher caused real enthusiasm among the Czech students.² Perhaps the greatest expression of veneration of Wyclif and his work was his honorary degree 'doctor evangelicus' so often encountered in manuscripts of Czech provenance. For one unknown admirer, from whom the title for this paper is borrowed, Wyclif was even 'doctor evangelicus super omnes evangelistas'. That this opinion was not unique is proved by the contemporary testimony of Master John Přebíram, according to whom many bold persons honoured Wyclif as the fifth evangelist.³

Another, less well-known expression of the esteem for Wyclif is given in the Constance articles against Jerome of Prague. The accused according to this protocol had in his home a portrait of the Oxford heretic depicted as a 'saintly man'. Jerome in his answer said that he had indeed a portrait of Wyclif, together with those of other philosophers, but that it was without a halo. Unfortunately these paintings have not been preserved and therefore two Prague manuscripts are all the more precious because they contain probably the oldest, very rare picture of the 'evangelical doctor'.⁴

Czech reformers of Hus's time did not confine themselves to publicly stating their position or to paraphrasing and popularizing the ideas of Wyclif. Not only did they try to give their literate public an intelligible explanation written in the vernacular, they also wanted to give them the opportunity to become acquainted with the authentic Wyclif. They did

¹ *Documenta Mag. Joannis Hus*, ed. F. Palacký (Prague, 1869), pp. 154, 161.

² Jerome of Prague, *Recommendacio arcium liberalium*, ed. A. Molnár, *Výbor z české literatury*, i. 246. The stone from Wyclif's grave is mentioned in Peter of Mladoňovic, *Relatio de magistro Johanne Hus*, ed. V. Novotný (Fontes Rerum Bohemicarum, viii, Prague, 1932), p. 108. Cf. in connection with the judgment of Oxford University, R. R. Betts, *Peter Payne in England* (Universitas Carolina, Vol. 3, 1957, IX. Historica, No. 1), p. 8 (repr. in Betts, *Essays*, p. 236-46); Novotný, *M. Jan Hus*, i. 312-13.

³ On the use of the honorary title 'doctor evangelicus' see Loserth, *Huss und Wiclif*, pp. 200-1, who cites also the testimony of M. Přebíram. The sources mentioned by Loserth could be added to. Compare e.g. glosses and explanations in Prague Univ. Libr., MSS. III F 11, V A 13, V E 14, VIII F 9, X D 10, X E 9 or Prague Cathedral Chapter Libr., MSS. B.XVII.1, B.VI.6, L.XXXVI. The gloss 'Doctor ewangelicus super omnes ewangelistas' is from Prague Univ. Libr., MS. III F 20.

⁴ See H. von der Hardt, *Magnum oecumenicum Constantiense concilium* (7 vols., Mainz, 1696-1742), iv, cols. 654, 751. Two miniatures with Wyclif's portrait in Prague Cath. Chapter Libr., MS. C. XXXVIII fos. 18v, 119 have already been noted by Loserth, *Huss und Wiclif*, p. 201. There is another in Prague Univ. Libr., MS. VIII C 3 fo. 2.

not stop there. The Constance decree accuses Hus and Jakoubek of Střibro in particular of translating Wyclif. In Jakoubek's case the accusation was fully justified, as is shown by his Czech transcription of the *Dialogue* dating from 1415-16, which has been preserved. There is further evidence that Wyclif's works *Triologus* and *De dominio civili* were translated at roughly the same time.¹ These examples speak for themselves and it is impossible not to take them into consideration when answering the perennial question about the originality of thought of Hus's teaching and of Hussite ideology as a whole.

Since 1884 when Loserth's book *Huss und Wyclif, Zur Genesis der hussitischen Lehre* was published, the problem outlined in its title has been one of the central points of all interpretations of the works of Hus and the Hussite ideology.² It was the work of an expert, who later became a well-known publisher of Wyclif's works, and it was based on the apparently exact method of textual comparison. For Czech historiography this polemically acute work came as a great shock: it was an attack on the founding figure of the Czech Reformation who had been surrounded with a mythical halo as the hero of the rebirth of a nation. To defend Hus against the charge of plagiarism and to rescue the national idea by returning to the Czech Reformation as its source became a matter of patriotic honour. In the polemics which followed, the wish was often father to the thought, since besides national-patriotic attitudes the confessional allegiance of any given author was very strongly manifest. Over the years so many speculations as well as well-founded arguments have been submitted in this debate that it is difficult to add anything new.

It was impossible to disprove that Hus often quoted Wyclif, that in some works he only slightly changed the ideas of the evangelical doctor and that he often did not even credit Wyclif with the borrowings. Further research and critical editions led to an increase in the number of passages Hus was known to have taken over and their extent was mathematically calculated and compared with the total length of the text in his own work.³ At the same time the limits of Loserth's method also became clear. While proving Hus's

¹ This decree of the Council of Constance is published in *Geschichtschreiber der hussitischen Bewegung in Böhmen*, ed. K. Höfler (3 vols., Vienna, 1856-66), ii, 241. *Mistra Jakoubka ze Střibra překlad Viklefova Dialogu (Master Jakoubek of Střibro's translation of Wyclif's Dialogue)*, ed. M. Svoboda (Prague, 1909). Cf. also F. M. Bartoš, *Literární činnost M. Jana Husi (The literary activity of M. John Hus)* (Prague, 1948), p. 123. Another work virtually translated from Wyclif is Hus's so-called 'Výklad menší': see J. Sedlák, 'Husův výklad víry', *Studie a texty*, ii (1915), 415-28.

² An English translation was published in the same year in London. That Loserth's book is still topical is proved by the fact that many authors still deal with it. See e.g. the polemical study by M. Spinka, *John Hus and the Czech Reform* (Chicago, 1941), etc.

³ See mainly the numerous studies by Sedlák, enumerated by P. De Vooght, *Hussiana* (Louvain, 1960), p. 2 and Kaminsky, *A History*, p. 36. Besides Sedlák, V. Flajšhans stressed Hus's dependence on Wyclif. See e.g. his article 'Anglická vlna (The English wave)', *Český časopis historický*, xxxviii (1939), 1-15.

dependence on Wyclif, which had, however, already been known, it did not give an answer to the question of what actual rôle was played by the Wyclifite ideological heritage in Hus's reformist activity. Loserth's critics justly objected that Hus's method of quotation was usual among the late scholastics, that he also used other sources, and finally that he was often critical in his approach to Wyclif.¹ One may cease to agree with them—not only in the assessment of Loserth but in the actual interpretation of Hus's teaching—where they minimize the decisive influence of Wyclif, either by stressing the home roots and originality of thought of the work of Hus, or by trying to limit Hus's heterodoxy on individual questions by making comparisons with Wyclif.²

Not only did doctrinal analysis lead in this case to contradictory conclusions, but it did not in itself suffice to solve the problem. Hus was more of a preacher than a theorist. That is to say that his work on both the concrete and the abstract levels reflects the attitude he held (and as a public official he had to hold) concerning the questions and the needs of the day. It was not Hus's system of thought—a certain fixed construction which arose as a more or less independent projection of his own ideas of the past, present and future—which was primary, but the objective reality which oppressed him and which in accordance with his moral conviction and with his active conception of Christianity he wanted to change and improve. Like all the intellectuals of his time, Hus could of course make a choice. It is of great importance that he gave priority to his own convictions rather than to conformism and obedience to the official authorities, and also that he admitted being a follower of Wyclif. In this choice he proved the maturity of his thought. He understood that Wyclif gave at least the outlines of an answer to a number of fundamental questions which were already in the air in Bohemia but which the representatives of the Czech reformist school were not yet able fully to resolve. Hus also very cleverly foresaw that his orientation, which placed stress on the positive rôle of the secular power, could be applied in Czech conditions.

Let us, however, first of all listen to Hus himself. In 1411, when he defended the true teachings of Wyclif against his countryman Stokes he explained his position in six points. Besides moral reasons which according

¹One of the best defences of Hus in this spirit comes from Bartoš, *Husitství a církev*, pp. 20 ff. See also M. Kaňák, 'Hus a Viklef (Hus and Wyclif)', in *Husův sborník* (Prague, 1966), pp. 48–56.

²Novotný for example (*M. Jan Hus*, i–ii *passim*) stressed Hus's continuation of the Czech reforming wing of Milíč of Kroměříž and Matěj of Janov. On the other hand V. Kybal, *M. Jan Hus, život a učení* (*M. John Hus, life and teaching*), II/1 (Prague, 1926), pp. 101–6 and even more De Vooght, *L'hérésie, Hussiana*, greatly reduce Hus's Wyclifism and bring to the fore the moral appeal of his honest and, with few exceptions, orthodox catholicism. Our point of view comes closer to the conception of Kalivoda, *Husitská ideologie*, pp. 159 ff. and Kaminsky, *A History*, pp. 35 ff.

Since this article was prepared a full comparative survey has appeared: G. Leff, 'Wyclif and Hus: a doctrinal comparison', *Bull. John Rylands Libr.*, 1 (1968), 387–410.

to the bible enjoin him (1) not to judge before the coming of Christ and (2) to show mercy to others, and besides (3) the esteem in which Wyclif is held by good priests, Oxford University and all true believers, Hus's conviction is also (4) strengthened by the works of Wyclif, in which, as Wyclif himself says, 'he tries with all his power to bring back to the law of Christ all people and especially the clergy, so that leaving the pomp and authority of the world they may live like the apostles the life of Christ'. Point five, continues Hus:

I am attracted by the protestations which he again and again makes in his works. In the sixth place I am attracted by the love he had for the law of Christ, defending His truth, which cannot be wrong in one single iota. After all he also wrote a book about the truth of the Holy Bible, proving unto the last the truth of the law of the Lord.¹

To learn from Wyclif did not mean blind dependence. If, for example, Hus developed the predestination theory in full agreement with Wyclif, in a number of equally significant questions he took a modified, different and, it could be said, orthodox stand. This applies first of all to Hus's conception of the episcopate, the clergy, the Eucharist and indulgences.² And, as a rule, where he followed the teachings of the Master of Oxford, he came into conflict with the ecclesiastical or secular power, or even with both, as was actually the case in the indulgences affair of 1412. The question of Hus's heresy and thus also of his historical rôle in the early phase of the Czech and European Reformation cannot therefore be reduced to the question of the derivation of his teaching. It is true that Hus was not a theorist like Wyclif and as far as the consequences of his reformist work are concerned, it was mainly the 'evangelical doctor' he had to thank for them.³ But he also went further than Wyclif, perhaps not in theoretical questions—that was only exceptional, as in the question of obedience—but in the social aspects of Wyclif's reformist work. He concentrated on these and creatively adapted them to Czech conditions.⁴ Hus in this way generously repaid Wyclif for everything he had borrowed from him. By his long years of struggle in the defence of his inheritance he gained recognition at home and abroad for

¹ 'Contra Iohannem Stokes', *Polemica*, pp. 62–3.

² I list here only a few recent works, which can serve as guides to the rest: those by De Vooght and Kaminaky already cited; M. Spinka, *John Hus' Concept of the Church* (Princeton, 1966); G. A. Benrath, 'Wyclif und Hus', *Zeitschrift f. Theol. u. Kirche*, lxii (1965), 196–216. From a broader aspect see A. Molnár, 'Husovo místo v evropské reformaci (Hus's place in the European Reformation)', *Československý časopis historický*, xiv (1966), 1–14 and G. Leff, *Heresy in the Later Middle Ages* (2 vols., Manchester & New York, 1967), ch. ix.

³ Here I agree with De Vooght in his debate with Bartoš, cf. *Communio viatorum*, viii (1965), 65–74, 235–6; ix (1966), 175–80.

⁴ On Hus's conception of obedience as one of the central points of his doctrine see R. Kalivoda, 'Hus a Viklif (Hus and Wyclif)', *Filosofický časopis*, xiv (1966), 153–64. For the historical relation of Hus's activity to contemporary Czech conditions see J. Macek, 'Jean Hus et son époque', *Historica*, xiii (1966), 51–80, giving further references.

Wyclif, ensuring that he would not be forgotten as would otherwise have been the case.¹

The constantly discussed relation of Hus and Wyclif helped on the one hand to create a false view of Wyclifism as the only source of the Hussite revolution and on the other hand relegated other reforming doctrines which did not have the fame of Hus's ideas. The truth, as always, was more complicated. Even though it was through Hus that some of Wyclif's theses took root in Bohemia, the works of Wyclif also affected Czech scholars directly. It was for this reason that the distribution of manuscripts with Wyclif's texts and their translations and oral popularization have been mentioned. It could even be said aphoristically that in pre-revolutionary Bohemia there were three Wyclifs: one authentic, one transformed by his Czech pupils and the third caricatured in the distorting mirror of anti-Hussite propaganda.

Only certain sections of Wyclif's teaching reached the threshold of public interest. They then often became a point of departure for doctrinal divergences among the pre-revolutionary and revolutionary factions. This applies in the first place to Wyclif's concept of the church and the Eucharist. The individual study of Wyclif by those Masters who like Jakoubek of Střibro had learned from the works of Matthew of Janov, or like Nicholas of Dresden did not reject Waldensianism,² also aided the proliferation of different spokesmen and groups. The result was various modified syntheses of Wyclifism with Janovian, Waldensian and other elements. If these reformers sometimes put forward more radical demands than those of Hus, it was often because they adhered to Wyclif's authority. An example will help to illustrate this. Nicholas of Dresden, by contrast with Hus, did not accept the definition of the church as 'universitas predestinatorum', and in the question of the invalidity of the sacrament administered by a bad priest, he likewise upheld the spirit of Wyclif and took a less conformist view.³ To define and characterize the individual modifications of Czech Wyclifism cannot be the task of this paper. It is of significance that the Czech adaptation of Wyclif was not connected only with the person of Hus and that it did not stop with his departure from Prague or with his death at the stake in Constance.

The differentiation that took place in the Prague reformist circle during the life of Hus became more clearly defined in the years just preceding the revolutionary rising. One of the decisive moments was the introduction of Utraquism, which was accompanied by a number of liturgical and dogmatic discussions. Wyclif was present in all of them, even though here too the

¹ F. M. Bartoš, *Viklef a Čechy (Wyclif and Bohemia)* (Prague, 1935), p. 4; Kaminsky, *A History*, pp. 23-35.

² For a systematic account see Kaminsky, *A History*, *passim*.

³ J. Nechutová, *Místo Mikuláše z Drážďan v raném reformačním myšlení (The place of Nicholas of Dresden in early Reformist thought)* (Prague, 1967), pp. 34, 38. Cf. H. Kaminsky's introduction to his edition of 'Master Nicholas of Dresden, The Old Color and the New', *Trans. American Philos. Soc.*, new ser., lv pt. 1 (1965), 5-28.

doctrinal analyses differ as to the extent of his influence.¹ Out of Wyclif's ideas there also grew the programme of the so-called four Prague articles, which, although not in their final form, were the result of the pre-revolutionary ferment. At the same time, however, besides the actual Wyclifism-Hussitism, which is often characterized as the ideological expression of the interests of the bourgeois opposition, its modified and radical offshoots were gradually developed. The reprisals against the Hussites, the activation of the anti-reform front, the increasing social restiveness, the spread of reformist ideologies among the masses, the weakening of the power of the ruler, as well as the loosening of the state organism, all this helped the latent elements of popular heresy to come to the fore. Soon they were widely accepted and proclaimed by zealous preachers, which gave the initially unclear and spontaneous movements a revolutionary content. It was actually not so much a question of the negation of Wyclifism-Hussitism, as of giving a proper content to it and of spreading its potentially revolutionary impact. Without subtle learned arguments the radical chiliastic preachers soon overcame the Wyclif-Hussite conception of reforming the church with the aid of the secular power; they extended the reformist postulates to the whole of society regardless of class adherence and they put the practical task of carrying out the remedy into the hands of the most faithful advocates of the 'Law of God'.²

The reformers of the left, whose spokesman Jakoubek of Stříbro had become, felt cheated. On the one hand they had to defend their programme against the Council, its local representatives and the rising alliance of the supporters of modified Utraquism at the university and among the nobility. On the other hand they could not accept or tolerate the eccentric demands of the chiliasts. The situation soon got out of hand. Pilgrimages to mountains with biblical names, chiliastic proclamations as well as increasing expressions of revolutionary activity were signs of the culminating revolutionary atmosphere. But before the forces inside the reformist-revolutionary front could measure their strength, events quickly reached a climax. After the tempestuous events of July and August 1419 in Prague and elsewhere, the Emperor Sigismund as the representative of the foreign and Czech anti-Hussite coalition could hesitate no longer. An armed conflict was drawing near. The church, the emperor and their allies did not differentiate between the individual factions and set as their aim to wipe out Czech heresy on all fronts. The whole of the reform was endangered, as were also the lives of its followers regardless of their differences of opinion. In this situation which,

¹ On the genesis of the Hussite chalice see most recently D. Girgensohn, *Peter von Pulkau und die Wiedereinführung des Laienkelches* (Göttingen, 1964) and Kaminsky, *A History*, pp. 97 ff. M. Uhlirz especially stressed Wyclif's influence on the introduction of the chalice: *Die Genesis der vier Prager Artikel* (Sitzungsberichte d. kaiserl. Akad. d. Wiss. in Wien, clxxv, 1916, no. iii), pp. 45-66.

² For this and following paragraph see the detailed, but conceptually different works by Macek, Kalivoda and Kaminsky cited above. Cf. also F. G. Heymann, *John Žižka and the Hussite Revolution* (Princeton, 1955) and F. M. Bartoš, *Husitská revoluce (Hussite revolution)* (2 vols., Prague, 1965-6).

with certain modifications, was to be repeated whenever the country was faced with the crusaders' campaigns, the Hussites became united in their common defence. The Masters of the university contributed their share. They had to consider from the theoretical viewpoint the possibilities and conditions of a 'just' war. They again learned much from Wyclif, but the situation forced them to go further than he had done and undertake the armed defence of the holy cause of the 'Law of God'—even to the extent of opposing the legitimate ruler.¹

As soon as the acute danger had passed, the old contradictions appeared again in full force. In the case of the most radical Taborite sects, with which the short period of the Tábor Commune was connected, they were solved with fire and the sword. Tendencies towards similar solutions can also be observed in other revolutionary groups. That they were not put into practice until many years later, at the battle of Lipany, can be ascribed to a certain balance of forces between the Prague city union and the so-called field communities, and also to the constant danger of the crusades. The struggle, therefore, took place rather in the sphere of dogma and liturgy, which became more and more the external dividing line between the Prague and the Tábor parties and their various groups.

This explanation has been intended not only to recall some phases and symptoms of the Hussite revolution, but also to point out under what conditions a basic change took place in the Czech reception of Wyclif. It was typical for the whole pre-revolutionary period, that is roughly up to the year 1417 and with certain exceptions up to the year 1420, that Wyclif's teaching was able to serve as a source of argument for the constantly deepening and ever more radical reformist wave. That Wyclif's teaching had in this sense its limits and that the reformist and revolutionary Hussite ideology also drew from other sources is not decisive from this point of view. However, at the moment when the revolution was defending itself in the first armed conflict, whereby it actually manifested to the world its existence, the period of its rise was already over. The further development of the revolution in the form of the chiliastic programme was unsuccessful, because of the disunity of the farming-plebeian participants of the uprising and the necessity to defend the *status quo* against external and internal enemies. In place of the continuous development of reforming and revolutionary ideas a defensive reaction set in, and soon afterwards came a certain return to normal resulting from each faction's need for unity and from deadlock occurring in the theological disputes. Just as the revolution lost momentum and turned more and more clearly into an attempt to achieve a certain balance with the Roman Church and the surrounding world, so the forces calling for the modification of the existing doctrinal claims were strengthened. Their spokesmen were mainly the Masters of Prague University, who reflected the interests of the influential groups of high nobility

¹ Seibt, *Hussitica*, ch. ii, 'Bellum iustum', compare also H. Kaminsky, *Speculum*, xlii (1967), 756-8 and A. Molnár, 'Zwischen Revolution und Krieg', *Communio viatorum*, x (1967), 33-44.

and rich burghers. It was only a question of time before this ideological retreat would turn into an attack on the authority of the 'evangelical doctor'.

Certain signs can be seen from the very beginning of the controversy between the Taborite and Prague spokesmen, since the teaching of the radical Tábor was to a great extent based on the authority of Wyclif.¹ As one of the central points in the polemics of that time was the Taborite conception of the Eucharist, it became the springboard of a new dispute about Wyclif. Master John Přebíram, who was compensating for the radicalism of his youth by sharp anti-Taborite attacks, acted very cleverly. He set the differing points of view of Hus and Wyclif against one another and included in the purely theological dispute an effective ultra-nationalist tone. Without any hesitation he distorted one of Hus's defences and made use of it in an aggressive apostrophe: 'What do we care about Wyclif? He was not a Czech nor our father! Therefore do not seek to have him as an apostle or as an evangelist. Nor do we want to follow Wyclif, since we would thereby take unto ourselves all his heresy, thus angering God and all Christianity'.² This can be interpreted either as a lesson from the past or as a sign of decreased consciousness of one of the heirs of Czech reformist thinking. Whichever the interpretation, the fact remains that the Utraquist Přebíram agreed with the anti-Hussite writer who ten years before had already appealed to the Czech authorities to have mercy and to chase Wyclif out of Bohemia 'to England and to the Evil Mountain'.³

The contemporary Calixtine annalist wrote, 'the Tábor priests took their heresy from Wyclif';⁴ it was therefore up to them to take up his defence. This they did almost at once, as early as 1426, and with short breaks they continued the polemical struggle with Přebíram and other opponents up to 1444. In that year the Eucharistic dispute was settled by a decree to the disadvantage of the Tábor priests.⁵ Even though they did not give up their teaching, they were already placed in the rôle of condemned heretics. It is, however, significant for the whole dispute that it was at first carried out on

¹ This did not only concern the questions which will be discussed below. According to Z. Nejedlý, *Dějiny husitského zpěvu*, iv (Prague, 1955), p. 271, the Taborites at first rejected any embellishing of songs, basing their opinion on Wyclif. Similarly the Tábor Manifesto of 1431 has passages taken verbatim from Wyclif's *Dialogue*, etc. (N. V. Yastrebov, *Etyudy o Petre Khelchitskom i ego vremeny*, i (St. Petersburg, 1898), pp. 155-6).

² 'Proti usnesením tábořské synody (Against the resolution of the Tábor synod)', in *Výbor z české literatury*, ii (Prague, 1964), p. 78. List of Přebíram's polemical works in F. M. Bartoš, *Literární činnost M. Jana Rokycany, M. Jana Přebírama, M. Petra Payna (The literary activity of John Rokycana, John Přebíram, Peter Payne)* (Prague, 1928), pp. 71-81.

³ Cf. the song 'Všichni poslouchajte (Listen all of you)', *Výbor z české literatury*, i, 283-9.

⁴ *Staré letopisy české (Old annals of Bohemia)*, ed. F. Šimek (Prague, 1937), pp. 27, 53.

⁵ See F. G. Heymann, *George of Bohemia, King of Heretics* (Princeton, 1965), pp. 24-5.

behalf of the Taborites by the English Hussite Peter Payne, who also had the great merit of keeping alive the ideas of Wyclif. By his personal example and his knowledge he impressed a number of radicals and also took on himself the exacting task of compiling excerpts from Wyclif's works in the form of registers.¹

One of the last followers of the chalice who supported the 'evangelical doctor' with more than mere words was the self-taught Peter Chelčický, the spiritual father of the Unity of Czech Brethren. In his Reply to Rokycana he wrote: 'I like him particularly because no other Doctor, either past or present, has spoken and written so faithfully against the poison being poured into the Holy Church'.² His esteem for Wyclif, whose works he knew only in translation, did not stop Chelčický from developing quite different ideas about the secular power and spiritual struggle. Similar consideration of Wyclif's reformist teaching became more and more exceptional. The decreasing interest in his works became apparent also in the fact that there were far fewer new copies of them, even though it must be remembered that there were still a fair number surviving from the previous period.

Even though the Czech adaptation of Wyclif's teaching had long ceased to be a threat to the Roman Church and to orthodox Catholicism, there constantly appeared new publicists during the second half of the fifteenth century who warned against his heresy and launched many attacks against this 'seducer of the people', as well as against all 'in secta Wickleff permanentibus'.³ These late pamphleteers were no longer acquainted with the works of the hated heretic. They knew that the 'limping' Wyclif had written against the pope, the bishops and priests, but they shamelessly told their readers that he did this out of offended vanity (as he had not become a cardinal), that he was a parson in the English town 'Viklef', and the like.⁴

Wyclif had become a symbolic figure: not only the incarnation of evil, but also the forefather of reform. As the idea of Wyclif as the teacher of the martyr Hus remained subconsciously fixed in the Utraquist tradition, so the Unity of Czech Brethren, often only in words, traced its beginnings

¹ List of Payne's literary inheritance in Bartoš's work cited above, p. 32, n. 2. Cf. S. H. Thomson, 'A note on Peter Payne and Wyclif', *Medievalia et Humanistica*, xvi (1964), 60-3; *Sborník přednášek věnovaných životu a dílu anglického husity Petra Payna-Englise 1456-1956* (A collection of lectures devoted to the life and work of the English Hussite Peter Payne) (Universitas Carolina, Vol. 3, 1957, IX. Historica, No. 1); J. Macek, *On Peter Payne's activity among the Hussites* (in the press).

² P. Chelčický, 'Replika proti Rokycanovi' (Reply to Rokycana), ed. K. Černý, *Listy filologické*, xxv (1898), 264-5. For the relation of Chelčický to Wyclif see also P. Brock, *The Political and Social Doctrines of the Unity of Czech Brethren* (The Hague, 1957), pp. 34-5 and H. Kaminsky, 'Peter Chelčický's place on the Hussite Left', introd. to 'Peter Chelčický: Treatises on Christianity and the Social Order', *Studies in Medieval and Renaissance History*, i (1964), 107-36.

³ For sources and references see e.g. R. Urbánek, *Věk poděbradský* (The Poděbrady age), iv (Prague, 1962) *passim*.

⁴ The so-called 'Veršované letopisy (Annals in rhymes)', ed. F. Svejkský, in *Veršované skladby doby husitské* (Prague, 1963), p. 156.

back to the 'evangelical doctor'.¹ In an even wider reformist sense the illustrator of the so-called Gradual of the Lesser Town of Prague of the year 1572 depicted Wyclif's significance as a founder: in the margin of the text of the hymn 'Saint John Hus' he depicted in a row under each other Wyclif, Hus and Luther. The first is striking a spark and the second lighting a candle, while the third is already holding a blazing torch.²

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¹ Cf. e.g. 'Epitaphium Ioannis Hussii', in Peter of Mladoňovic, *Opera Historica*, ed. V. Novotný (Fontes Rerum Bohemicarum, viii), p. 475 and treatises dealing with the origins of the Unity of Czech Brethren, by J. Goll, *Chelčický a Jednota v XV. století (Chelčický and the United Brethren in the 15th century)* (Prague, 1916), pp. 55 ff.

² Prague Univ. Libr., MS. XVII A 3 fo. 363; reproduced in A. G. Dickens, *Reformation and Society in 16th Century Europe* (1966), p. 13.

Speaking in the House of Commons

DURING HIS LIFETIME, William Hakewill published only one chapter of his parliamentary collections on procedure, *The Manner How Statutes are Enacted in Parliament by Passing of Bills*, and this he says he published reluctantly: 'Being . . . very unwilling to have appeared in print, and to have subjected myself to public censure'. Another chapter 'Concerninge the Speakers Dutie in Puttinge of Thinges to the Question' appeared in 1939.¹ Hakewill mentioned yet other chapters and in particular promised that 'touching the manner of speaking, and what orders shall be observed therein, more shall be said elsewhere'.² A manuscript in the Cathedral Library at Exeter, entitled 'Speaking in the House', is probably this section of Hakewill's 'collections', and may well be in Hakewill's own hand.³ References in the manuscript identify the writer as Hakewill and fix it firmly in the context of his other work. Obliginglly the author speaks of a chapter 'concerning the duty of the Speaker', surely the chapter published by Mrs. Sims, which in turn refers to 'the Chapter concerning the passing of Bills', Hakewill's earlier published work.⁴ The pieces of a procedure book begin to fall into place. Chapters on 'the duty of the Clerk', on 'the naming of Committees, and their duties', on messages, on the conclusion of parliament, mentioned by Hakewill, are still missing but may yet be found.⁵

¹W. Hakewill, *The Manner How Statutes are enacted in Parliament by Passing of Bills* (1659), Preface, hereafter cited as Hakewill, *Passing of Bills*. C. Strateman Sims, 'The Speaker of the house of commons, an early 17th-century tractate', *American Hist. Rev.*, xlv (1939-40), 90-5, hereafter cited as 'Concerninge the Speakers dutie'.

²Hakewill, *Passing of Bills*, p. 148.

³Exeter, D. & C. MS. 4718 (hereafter cited as Exeter MS.). Spelling has been modernized in all citations. I have not been able to establish that this MS. is in Hakewill's own hand. Samples of his writing are difficult to find. A letter to John Dee, dated Apr. 1631, in the Library of Trinity College, Dublin, is certainly signed by Hakewill, and may have been written by him or by a secretary for him. Superficially it differs from the writing of the Exeter MS. but an analysis letter by letter brings the two closer together, save for the tell-tale *h*, which in the Exeter hand runs consistently below the line in good Elizabethan fashion, while the Dee letter follows later style. Possibly another sample of Hakewill's hand may be found in a legal opinion in the British Museum (Lansdowne MS. 174 fos. 226-235v). Most of the MS. was probably written by a clerk, but the legal references in the margin and the last six lines above the characteristic signature, W. Hakewill, resemble the handwriting of the Exeter MS.

⁴Exeter MS. fo. 1v; 'Concerninge the Speakers dutie', p. 94.

⁵Hakewill, *Passing of Bills*, pp. 155, 146, 181; Exeter MS. fo. 1v; British Museum, Add. MS. 36856, below, p. 36.

Internal evidence strongly suggests that the Exeter manuscript is a rough draft by the author himself with marginal memoranda to jog his memory. Sentences are struck out and written over; phrases are inserted and corrected; words are changed, clarifications added. The manuscript thus shows the man at work and suggests how Hakewill's other parliamentary pieces may have been compiled. Notes are jotted in the margin. 'Lords in ancient time' is written opposite a paragraph concerning non-members who might speak in the house of commons. There is a memorandum, 'Leave a space for the words of the statute', in a section which deals with freedom of speech and cites the case of Richard Strode. There are reminders to check the 'Remonstrance' and '4. Sess. 15 May 1610', and also the Commons Journal, 27 Elizabeth.¹ Most telling of all is the numbering and renumbering of paragraphs, setting random thoughts into an orderly progression. Precedents which fortify 'Speaking in the House' date from the first parliament of James I and earlier, just as they do in 'The Passing of Bills'. Only the reference to speaking out against 'persons in great place and office' suggests a later period.² Possibly the draft of the chapter now at Exeter was written in or shortly after 1610.

There is another manuscript of 'Speaking in the House' at the British Museum, a more finished version of the same chapter, entitled 'Orders of Speaking in Parliament', which refers to the parliaments of 1621 and 1628.³ Here changes in order have all been made and paragraphs rearranged to form the more logical sequence suggested by marginal numbers in the Exeter manuscript. This is a fair clerical copy with no traces of the craftsman's working notes or memoranda and emendations. One important point has been omitted—if two stand up at once, he who will speak against a bill should be heard first.⁴ Other material has been added: the words of the statute concerning Strode as a note in the Exeter manuscript had indicated, a rather undigested section concerning the power of judicature of the house of commons, and the final paragraphs concerning the Clerk and the Serjeant. More significant is the mention of Floyd's case in 1621 and the discussion of the decision of the judges in 1629.⁵ How many years lay between Hakewill's first draft and this later revision? It would be interesting to know. Probably Hakewill did not regard even this version as final. References to earlier parliaments are not entirely accurate. The wording of the petition of 1610 differs from that in the Commons Journal.⁶ The section on judicature is rough. Hakewill was not eager to rush into print.⁷ Doubtless if he had planned to publish, he would have subjected his manuscript to further revision.

¹ Exeter MS. fos. 1v, 2v, 4v.

² *Ibid.* fo. 2.

³ Brit. Mus., Add. MS. 36856, printed in Appendix below.

⁴ See p. 54, n. 5 below.

⁵ See below, pp. 48, 49, 55, 50-1, 49. Exeter MS. fo. 2v.

⁶ Below, pp. 46-7, and p. 47, n. 2.

⁷ Hakewill, *Passing of Bills*, Preface.

Yet another version of the same chapter has survived among the papers of Sir Edward Montagu, where one might almost expect to find it.¹ Montagu kept notes of parliament as a member of the lower House in James's first parliament and later as a peer. He was interested in procedure and precedents. 'Sir Edward Montagu', wrote a diarist in 1610, 'said to me that I must not take precedent from this parliament concerning meeting with the Lords'.² Montagu had notes of grants, aids and subsidies from the reigns of Henry I to the last years of the reign of James I;³ and in 1626, when the cases of the earl of Arundel and the earl of Bristol were being discussed in the Lords, he remarked that there fell out 'many questions about breach of privileges against the peers which are worth noting, and will serve for excellent precedents to future ages'.⁴

The manuscript among Montagu's papers is entitled 'Order of Speaking in Parliament'. This clean copy, probably made by a clerk, has been corrected and revised in a hand which strongly resembles that of the Exeter manuscript, and indeed may be the same. The texts of the Montagu and Exeter manuscripts are closely related. Corrections and additions made in 'Order of Speaking in Parliament' bring it even closer to the Exeter version. The succession of paragraphs is different, and suggests that a copyist started with fo. 4 and 4v of the Exeter manuscript, and then went to fos. 1, 1v and 2. Folio 3 of the Exeter manuscript has not been used (it contains only the paragraph also omitted from Add. 36856).⁵ A more serious omission from the Montagu manuscript is material concerning Strode's case, the paragraph which has been expanded in Add. 36856 to include the words of the statute itself (fo. 50-50v). 'Order of Speaking in Parliament' ends abruptly with the story of Sir Anthony Kingston. Perhaps this manuscript is only a fragment. It contains some material not in either of the other versions—a longer account of Mr. Wiseman's speech on bastardy,⁶ some remarks concerning the Speaker⁷ and additional phrases concerning free speaking in parliament and the redress of grievances.⁸ Add. 36856 and the Montagu manuscript are, so to speak, first cousins, clearly related, both descended from the Exeter manuscript but not from each other.

¹Hist. MSS. Comm., *Buccleuch MSS.*, iii. 247, described but not printed in full. I am grateful to the duke of Buccleuch for allowing me to have this manuscript (hereafter cited as Montagu MS.) photographed, and to Mr. P. I. King of the Northamptonshire Record Society for making the necessary arrangements.

²For these journals, see Hist. MSS. Comm., *Buccleuch MSS.*, iii. Montagu also sat in the parliament of 1614, but apparently no notes have survived. *Proceedings in Parliament 1610*, ed. Elizabeth Read Foster (2 vols., New Haven, 1966), ii. 326.

³Hist. MSS. Comm., *Buccleuch MSS.*, iii. 247.

⁴*Ibid.*, p. 301.

⁵For corrections and additions, see Montagu MS. para. 1, fo. 1; para. 7, fo. 2; para. 24, fo. 5; para. 26, fo. 6; para. 29, fo. 7; para. 34, fo. 8; para. 36, fos. 9-10; paras. 37-8, fos. 10-12. For the missing paragraph, see below, p. 54, n. 5.

⁶Fo. 7, see below, p. 46, n. 1.

⁷Fo. 8, see below, p. 51, n. 4.

⁸Fo. 10, see below, p. 46, nn. 2, 3, p. 47, n. 1.

Earlier writers had described parliamentary rules for debate. Sir Thomas Smith, who was a member of the Commons in Elizabeth's reign, wrote, 'In the disputing is a marvelous good order used in the lower house'. Members stand, bare-headed, and speak only once to a bill on a single day. He who rises first has the floor. 'Though the one doe prayse the law, the other diswade it, yet there is no altercation'. Every man addresses his remarks to the chair. None names his opponent 'but by circumlocution', and 'no reviling or nipping wordes must be used'. Those who speak against king or council may be interrupted and even sent to the Tower. The Speaker himself has no vote, nor does the House permit him to join in debate.¹

John Hooker, member for Exeter in Elizabeth's reign and author of *The Order and Usage of the keeping of a Parlement in England*, agreed with Smith. All, he said, are to speak in a seemly manner, subject to correction by the House. Hooker also noted that members should stand, bare-headed, speak only once each day to a bill, and then directly to the point.² While Smith marvelled that 'in such a multitude, and in such diversitie of mindes, and opinions, there is the greatest modestie and temperance of speech that can be used', Hooker was more concerned that each member of parliament should have 'free libertie of speach to speak his minde, oppinion and judgement to any matter proponed' or to propose any matter 'for the commoditie of the Prince and of the common welth'.³

William Lambard, also writing in the Elizabethan period and also a member of parliament, made many of the same points and used many of the same phrases. If two members rise, the Speaker must decide which was first and should therefore have the floor. Members are to address their remarks to the chair and refer only obliquely to others. The Speaker should correct those who criticize the king or his ministers, admonish those who ramble, and interrupt those who 'range in evil words'. Motions should be

¹Sir Thomas Smith, *De Republica Anglorum*, ed. L. Alston (Cambridge, 1906), pp. 54-5.

²J. Hooker [alias Vowell], *The Order and Usage of the keeping of a Parlement in England* [Exeter?, 1575?], pp. [41-3, 45]. The first section of this work (pp. [1-15]) is a version of the *Modus*. The second section (pp. [17-54]) is 'The Order and Usage how to keep a Parlement in England in these days'. This edition of Hooker's tract (also substantially the same in College of Arms, Arundel MS. 41, and Lincoln's Inn Libr., Harper MS. 18) is much fuller and more useful than that published in Hooker's edition of R. Holinshed, *The First and Second Volumes of Chronicles* (1587), book 2, ch. ix, p. 179 and *Somers' Tracts*, i (1809), pp. 175-83. A MS. in Hooker's own hand, which differs from the Exeter edition, is at the Exeter City Record Office (H.H.3, Book No. 60.h, fos. 12ff.: 'The Order of Keeping of a Parliament in These Days'). The Arundel MS. is said also to be in Hooker's hand (C. Worthy, 'John Vowell *alias* Hooker. Some notes on a manuscript at the Heralds' College', *Rept. and Trans. Devonshire Assoc.*, xiv (1882), 631).

³Smith, p. 55; Hooker, p. [41]. On the whole question of free speech in parliament, especially in the Tudor period, see J. E. Neale, 'The Commons' Privilege of Free Speech in Parliament', in *Tudor Studies*, ed. R. W. Seton-Watson (New York and London, 1924).

embodied in bills and 'no speech ought to be made but only in matter in bill'.¹

The Elizabethan tracts are interesting, but there was little here to guide Hakewill. An early seventeenth-century work, 'Policies in Parliaments', is more relevant. These 'Rules for the Management of Business' were probably written around 1610 and, though not published till modern times, may have circulated in manuscript. They include 'Rules of speakinge', many of them the same as those in Hakewill's more detailed chapter. Since 'Policies in Parliaments' was probably composed when Hakewill himself was writing, similarities are not surprising.²

The real sources for Hakewill's chapters on procedure lay, however, not in earlier works on the subject but in his parliamentary career. Hakewill was a useful and experienced member. He sat in Elizabeth's last parliament of 1601, four parliaments in the reign of James I and the parliament of 1628-9 in the reign of Charles. He spoke many times and participated in a number of the great debates of the period. When a list of royal patents was read in 1601, it was Hakewill who startled the House by asking 'Is not bread there? Bread quoth one, Bread quoth another . . . this Voice seems strange quoth a third: No quoth Mr. Hackwell, if Order be not taken for these, Bread will be there before the next Parliament'.³ He was still attacking royal patents in James's reign, and joined in drawing the Statute of Monopolies of 1624.⁴

In 1610 Hakewill carried a major responsibility in preparing and presenting the case against the king in the matter of impositions. His speech circulated widely in manuscript and was finally printed in 1641. This and other surviving versions have been expanded, as Hakewill himself remarked, 'by the insertion of many records and acts of parliament, more at large,

¹ W. Lambard, 'The orders, proceedings, punishments, and privileges of the Commons House of Parliament in England', *Harleian Miscellany*, ed. J. Malham (12 vols., 1808-11), iv. 562. For a discussion of Lambard, see *The Liverpool Tractate, an 18th-Century Manual on the Procedure of the House of Commons*, ed. C. Strateman (New York, 1937), pp. xxxvi-xlii.

² "Policies in Parliaments", an early 17th-century tractate on house of commons procedure', ed. C. Strateman Sims, *Huntington Libr. Quart.*, xv (1951), 45-58. For the date, see *Proceedings in Parliament 1610*, i, p. xliii, n. 3. Mrs. Sims's notes indicate the relation of 'Policies in Parliaments' to Hakewill's *Passing of Bills*; for the relation of 'Policies in Parliaments' to 'Orders of Speaking in Parliament', see below, p. 45, n. 2, p. 46, n. 2, p. 52, nn. 4, 5, p. 53, nn. 2-4, p. 55, n. 1.

For other collections concerning parliamentary procedure during the early Stuart period, see *Liverpool Tractate*, Introduction; and *Proceedings in Parliament 1610*, i, pp. xliii-xlvii; ii. 360-92. [H. Scobell], *Memorials of the Method and Manner of Proceedings in Parliament in Passing Bills* (1689, 1st edn. 1656), contains a chapter on 'Decorum to be observed in the House' and another on 'Rules and Method of Debates in the House'. The chapter on public bills also mentions debate; but Scobell was writing after Hakewill's work was done.

³ Sir Simonds D'Ewes, *The Journals of all the Parliaments during the reign of Queen Elizabeth* (1682), p. 648.

⁴ *Commons Debates 1621*, ed. W. Notestein and others (7 vols., New Haven, 1935), vi. 252; ii. 106, 110; iii. 194; iv. 81; ii. 218-19.

which, at the delivery of it, were but merely quoted'. The speech, shorn of such additions, was a straightforward lawyer's case, based solidly on a reading of the parliament rolls, statutes and common law precedent.¹ Hakewill's fight against impositions continued throughout his parliamentary life. In 1614 he had been scheduled to defend the Commons' position in a conference with the Lords. When the upper House refused this meeting, Hakewill later moved, in a sly parliamentary manoeuvre, that the king's answer to the proposed message concerning impositions be recorded in the preamble to a subsidy; and he returned to the subject of impositions in 1628.²

Hakewill's interest in parliamentary elections was also persistent. In 1614 he was a member of the committee for privileges charged to consider elections, privilege for persons and freedom of speech.³ He forwarded a bill in the parliament of 1621 concerning elections and spoke often to disputed cases.⁴ In 1624 he acted as counsel in the House for several boroughs seeking representation.⁵ The fact that he had a manuscript copy of the committee's reports shows how closely he followed its work.⁶ Four years later, he himself became chairman of this important committee and presented its findings regularly throughout the sessions of 1628-9. Unfortunately his record of committee decisions, probably similar to that for 1624, has been lost.⁷

Hakewill used his knowledge of procedure to guide the Commons and expedite the business of the House. For example, he described the method for releasing prisoners from the Fleet and for dealing with a member who had failed to take the Oath of Supremacy and Allegiance.⁸ He protested against the scheduling of a committee 'sitting the House'.⁹ He explained procedure at every stage in the passing of bills: commitment, putting to the question, problems raised by Commons' bills amended in the upper House, and final endorsement.¹⁰ He clarified for other members the difference

¹ *Proceedings in Parliament 1610*, ii. 170; *The Libertie of the Subject against the pretended power of impositions* (1641), Preface; see below, p. 52, n. 3.

² *Liber Famelicus of Sir James Whitelocke*, ed. J. Bruce (Camden Old Ser., lxx, 1858), pp. 41-2; *Journals of the House of Commons*, i. 467 (hereafter cited as C.J.); *Proceedings in Parliament 1610*, ii. 146, n. 16, 415; *Commons Debates 1621*, vii. 642, 655; notes of Sir William Borlase for 26 March 1628 (Brit. Mus., Stowe MS. 366, hereafter cited as Borlase).

³ C.J., i. 456-7.

⁴ *Commons Debates 1621*, iii. 286; ii. 380; v. 309, n. 6. C.J., i. 512-13; *Commons Debates 1621*, ii. 42-3, 50, 142; iv. 107; v. 509.

⁵ [J. Glanville], *Reports of Certain Cases determined and adjudged by the Commons in Parliament* (1725), pp. 87-8, 94-5.

⁶ *Ibid.*, pp. lxxvii, 90-1, n.

⁷ *Ibid.*, pp. 90-1, n. One can reconstruct the record from the detailed accounts of Hakewill's reports from the committee to the House, see particularly the Borlase diary.

⁸ [E. Nicholas], *Proceedings and Debates of the House of Commons in 1620 and 1621* (2 vols., Oxford, 1766), i. 81. *Commons Debates 1621*, ii. 54; v. 447.

⁹ *Commons Debates 1621*, ii. 81; iv. 51.

¹⁰ *Ibid.*, ii. 112; iii. 237, 272, 341-3; iv. 389. Nicholas, ii. 79. C.J., i. 654.

between an adjournment and a prorogation.¹ His proposals were eminently practical. When a problem arose how to hold for examination a witness who had falsely accused the bishop of Llandaff, he suggested three possible courses the House could take. Similarly it was Hakewill's plan which was followed with the Warden of the Fleet, 'so crafty a fellow'.² In 1628 in the debates which led up to the Petition of Right, Hakewill reminded the Commons of the difficulties of passing anything more than a declaratory bill with king and Lords probably opposed.³

Hakewill forwarded the business of the House in other ways. He prepared the Commons' accusation of Sir Giles Mompesson for the house of lords in 1621.⁴ He proposed and kept a watchful eye on bills to prevent transportation of ordnance, both in 1601 and later in the reign of James.⁵ He made a plan for the reporting of bills before a recess and prepared a list of public bills passed by both Houses.⁶

Hakewill was not only an 'old parliament man' but, like many influential members, a lawyer as well. The cases he presented against impositions or on elections were essentially legal cases. He had been a member of the royal commission to review penal statutes and drew on this experience to make recommendations later followed by the Commons. His report on a bill for continuance and repeal of these and other statutes reflected long and careful consideration of the laws involved.⁷ He suggested a bill to rectify errors in granting administration.⁸ He spoke to the bill against monopolies and dispensations with penal laws, suggesting specific changes in phraseology.⁹ He reported from the committee to examine the privy seal of the masters of chancery.¹⁰ He participated in the debates against arbitrary imprisonment in 1628 and spoke against the Lords' proposed amendments to the Petition of Right.¹¹

Hakewill had, he wrote, 'the free use and perusall of all the Journals of the Commons House'. He read them all through and collected from them rules which he 'reduced under apt parliamentary titles'.¹² As common lawyer and antiquarian, he had studied the rolls of earlier parliaments and cited precedents from the days of Edward III to those of Mary, Elizabeth and James. He used the past not to bind the House but to illuminate its proceedings and always kept practical considerations in mind. Thus when

¹*Commons Debates 1621*, iv. 190-1, 403-4.

²*Ibid.*, iii. 253; Nicholas, ii. 70, 81.

³Borlase, 29 Apr. 1628.

⁴*Commons Debates 1621*, ii. 170-1; iv. 126-8.

⁵D'Ewes, pp. 671, 677, 688. *Commons Debates 1621*, iv. 191; Nicholas, i. 262.

⁶*Commons Debates 1621*, iii. 327-8, 359.

⁷*The Letters and Life of Francis Bacon*, ed. J. Spedding and others (7 vols., 1861-74), v. 84-6. *Commons Debates 1621*, ii. 72-3; iii. 308-17; iv. 47-8.

⁸*Commons Debates 1621*, ii. 280.

⁹*Ibid.*, ii. 218-19.

¹⁰*Ibid.*, iii. 102-3; iv. 273-4.

¹¹Borlase, 29 Apr. 1628; *Ephemeris Parliamentaria* (1654), pp. 159-61. Borlase, 20, 22 May 1628.

¹²Hakewill, *Passing of Bills*, Preface.

he moved that a committee be chosen to prepare a petition of grievances, he recalled petitions to Edward III and Henry VI, but added that the committee could not meet at once since the clerks needed time to prepare for it and some members were already engaged for the afternoon.¹

Hakewill kept his head during the storm over Floyd in 1621. He could, he said, find no precedent to justify the judgment against Floyd by the house of commons. He cited the case of Sir Francis Goodwin (1604) to prove that the House was a court of record, gave other precedents to show that it could examine on oath, and that the Lords could proceed only on accusation from the Commons. Finally with Noy, Glanville and Phelips, he was delegated to prepare 'matter of law and precedents' for the presentation of the Floyd case to the upper House.²

Hakewill spoke to the general pardon in 1628, using a precedent from the reign of Edward III to support the Commons' position that the 'heads' of the pardon should be discussed in the House and this before the subsidy was voted.³ Several times with reference to earlier reigns, he insisted that royal assent to bills did not determine a session.⁴

But precedents did not, for Hakewill, always serve the purposes of the House. In the past, he said, an attorney-general had been a member, though he 'wishes it were not so'. Like Elsyng, Hakewill understood the evolution of parliamentary legislation and refused to follow the Commons in their view of the Petition of Right. 'A petition of right if the King answer it graciously doth not amount to law nor is a parliamentary way.' Earlier, he agreed, law had been extracted out of petition and answer, but not for 200 years. Despite his protest the House, probably for good reason, proceeded by petition.⁵

Hakewill was deeply concerned for parliament's power and privilege. In 1610 he pointed out that the king's private conference with thirty members of the house of commons constituted a dangerous precedent. Characteristically he rejected angry suggestions that members who had attended James should be called to the Bar, censured or imprisoned, but he recommended an order to prevent such conferences in the future.⁶ During the last days of parliament in 1621, when a message from the king threatened freedom of debate, Hakewill remembered 'three the like storms in this House', two in the Elizabethan period, one in 1610.⁷ 'The privileges of this House', he said later, 'are the flowers of the Crown and . . . we shall

¹*Commons Debates 1621*, ii. 322-3; iii. 89.

²*Ibid.*, iii. 138, 177-8; iv. 310-11; Nicholas, ii. 14.

³Borlase, 13 June 1628.

⁴*C.ſ.*, i. 544; *Commons Debates 1621*, ii. 177, 400, 414-15; iii. 332 and n. 41, 368; iv. 133, 396-7; v. 182.

⁵For Elsyng see H. Elsyng, *Expeditio Billarum Antiquitus: an Unpublished Chapter of the Second Book of the Manner of Holding Parliaments in England*, ed. C. Strateman Sims (Louvain, 1954). *C.ſ.*, i. 456; notes of Edward Nicholas for 6 May 1628 (Public Record Office, S.P. 16/97) and Borlase, 6 May 1628.

⁶*Proceedings in Parliament 1610*, ii. 342-3, and n. 7.

⁷Nicholas, ii. 282; *Commons Debates 1621*, ii. 501-2.

never sit here again if they be not maintained . . . our privileges are part of the law . . .'. Giving a brief history of the Speaker's customary petition at the opening of parliament, he recalled the first parliament of James and, reading 'part of the Apology made, in this Point', recommended the appointment of a committee 'that we may hold our liberties as our ancient privileges by inheritance'.¹

Who better could write of 'Speaking in the House' than William Hakewill? He was not given to high-flown oratory, to reminiscence or legal ramblings. He did not weary the House nor entertain it. When he spoke he was interesting; his words were well put, measured and carried weight. He followed debate closely, observed how it ran, and over the years noted its 'policies', rules and practices.² Like D'Ewes, like Bowyer, like Montagu and others of their time, Hakewill was a student of parliament. He brought to his essays on procedure daily knowledge of the House during three reigns, the skill of a lawyer and the zest of an antiquary. What he has to say is important. Certainly his contemporaries thought so: collections which he had loaned to friends had, he complained, 'by the length of time multiplied into very many copies'.³

Hakewill's chapter on speaking reflects the man, experienced, concerned and always practical. He knew the best time to introduce a bill 'when he shall perceive the House not to be otherwise employed' and he tells us how bills were drawn. 'Such as speak', he wrote, 'are not stinted to any time for the length of their speech: but he that speaketh if he be observant shall easily perceive (even while he is speaking) how far he may presume upon the patience of the House in that regard'. A Commons man like Hakewill knew when he held his audience and when he lost it. He did not need to hear members 'hawk and hem or make some noise by scraping with their feet'. Hakewill knew a member must speak so that he could be heard, for 'if any man speak with a low and soft voice, he is usually called upon to speak out'. It was Hakewill the lawyer who analyzed Strode's case and the judges' decision on it in 1629, who hunted out cases concerning the power of judicature of the House. Hakewill the antiquarian suggested that lords formerly came to the lower House, and reflected that the word parliament

¹*Commons Debates 1621*, ii. 533; *C.J.*, i. 667. Hakewill was a member of the sub-committee appointed in 1621 'to consider of the best means and manner to acquaint the King's Majestie with the breach made of the privilege of this House' in the matter of freedom of debate (*Commons Debates 1621*, ii. 26, n.).

²The author of 'Policies in Parliaments' (*Huntington Libr. Quart.*, xv. 52) described such a speaker. 'A cheife rule to speak well and Comendable in the howse is soe to speake as it be *rara, vera, et ponderosa*: that is to say not to delite to heare himselfe speake in every matter, and uppon light ocasioness; secondly when he speaketh, soe to enforme himselfe that his speech be grounded upon trueth, thirdly that it be warranted upon good and sound reason.' On 22 May 1628, Hakewill said in the house of commons, 'if every man should speak at large out of several matters, I fear our pains would prove fruitless, we should rather now treat by logic than rhetoric' (Borlase).

³Hakewill, *Passing of Bills*, Preface.

might be 'derived from parler la ment for that in parliament men should speak their minds freely'.¹

The House in which Hakewill sat had, as his chapter shows us, learned how to order its business, to initiate legislation and to frame petitions for redress of grievances.² It limited the Speaker, who was not to speak to bills, though apparently he explained their content and prepared breviate. Members, Hakewill said, as Hooker had said earlier, ought 'to speak according to that which they shall think in their conscience may be most for the good of the Commonwealth, though it do perhaps cross the King's desire'.³ 'For the good of the Commonwealth' meant that a man was responsible for more than his own interest. Thus in 1601 Hakewill spoke against a bill concerning credit, although

I am a man of that rank and condition, that I never sell, I seldom buy, and pay ready money, and the safest course this Bill offers to me for my particular. But the great mischief that will redound by it to the Commons is that which makes me speak . . . We must lay down the respects of our own persons, and put on others, and their affections for whom we speak; for they speak by us . . . If the matter which is spoken of toucheth the poor, then think me a poor man. He that speaks, sometimes he must be a Lawyer, sometimes a Painter, sometimes a Merchant, sometimes a mean Artificer.⁴

Proudly Hakewill quotes the 'remonstrance' of 1610 that king's prerogative and subject's right should be debated openly in parliament, 'the supreme court of the realm'. Both were the Commons' proper concern. Yet, writing in the first half of the seventeenth century, with his sense of history and his Elizabethan loyalty to both Crown and country, Hakewill could keep a balance. For him, as for many others, the members' allegiance was still undivided: 'they were all of counsel with the King and the Commonwealth indifferently'.⁵

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¹ See below, pp. 48, 52.

² See below, p. 45.

³ See below, p. 45.

⁴ D'Ewes, p. 667.

⁵ See below, p. 45.

APPENDIX

*British Museum, Additional MS. 36856 fos. 48-54*¹

[fo. 48] Orders of Speaking in Parliament

1. If any of the House be desirous to have any new law made for the reforming of anything that is amiss in the Commonwealth he may (when he shall perceive the House not to be otherwise employed) make a motion in the House to that effect declaring the reasons of his desire and praying the House to take it into their consideration and to appoint some of the House to pen a law to that purpose.² And if he himself have a law drawn to the effect of his desire he may present it to the House to be read. But when any bill is delivered the Speaker is not then bound presently to cause it to be read, but may defer it to the next day that so he may have time to make a breviae for his memory in opening the substance thereof which he is bound to do upon the reading.³

Of what matters men
may speak there

2. So likewise if any of the members of the House or their servants be arrested or impleaded or any way abused or ill intreated so that they ought to have the privilege or protection of the House, any of the House may inform the House thereof and pray their assistance.

Members may inform the
H. of Breach of Privilege

3. The like if any desire redress of any grievance to his country in particular or to the Commonwealth in general he may by speech open the state thereof to the House and desire their assistance for framing a petition to the King to that purpose, or may himself deliver a petition to that effect to be considered by the House.

May desire redress of
grievances

4. Such of the House as are of the King's privy council or of his counsel at law ought nevertheless in debate of matters [fo. 48v] in the House, as ought all others to speak according to that which they shall think in their conscience may be most for the good of the Commonwealth, though it do perhaps cross the King's desire in that particular. In the second session of the first parliament of King James one of the House being of the King's counsel at law, desired he might be heard to speak as counsel for the King, for which he was reprehended, and told that there was no such difference to be taken of the members of that House, as if some were counsel for the King and some against him, but that they were all of counsel with the King and Commonwealth indifferently.⁴

The K.P. Councillors or
Counsel learned in the
[fo. 48v] ought to speak
and vote according to
their consciences

None must speak as of
counsel, but every man
according to his
conscience

¹Spelling and capitalization have been modernized throughout and punctuation occasionally modified.

²Cf. 'Policies in Parliaments', p. 51.

³Cf. 'Concerneinge the Speakers dutie', pp. 92-3.

⁴The reference is to 25 May 1604, in the first session of parliament (*C.J.*, i. 226).

5. When the House hath been at good leisure some one of the House hath propounded a question to the House about the exposition of some statute to know their opinions and how it hath been practised in the several parts of England as did Mr. Wiseman in a point concerning Bastardy, for which he was much commended.¹

Freedom of Speech

To speak freely, boldly,
and plainly

Intemperate speakers to
be interrupted and
punished

If offence is taken at
anything spoke by a
member he may have
liberty to explain

6. Every man ought freely boldly and plainly to speak his mind and conscience either in propounding such things as he holdeth requisite for the good of the Commonwealth, or in withstanding and denying the contrary, wherein if he demean himself discreetly and temperately he shall be assured not only of the approbation of the House but of their protection. But if through too much heat and zeal to the cause he break forth into intemperate and indiscreet speeches either against the King or against the government in general, or against persons in great place or office in the state, he shall not only be assured to receive a check by the House; but there are divers precedents where such intemperate persons have not only [*fo. 49*] been then presently called from the place where they have so spoken to answer the matter upon their knees at the Bar of the House as delinquents; but have also by order of the House been committed to the Tower; as was Dr. Parry 27 Eliz. and Sir Christopher Pigott in the 3 session of the first parliament of King James. But when any such offence is taken by the House to any man's speech, the party so offending or his friends for him may desire that before he be condemned to answer at the Bar he may have the favour of the House to expound his own meaning in the place where he stood. And this is usually granted, wherein, as the House shall be satisfied so do they proceed accordingly.²

But if the House shall not hold such a man guilty of intemperate and indiscreet speech though he have spoken never so plainly and freely in informing the House against some great officer³ (so as his information be true) or touching

¹Montagu MS. fo. 7: 'When the House hath been at good leisure it hath been sometimes seen that one of the House hath propounded a question to the House about the exposition of some public statute to know their opinions and how the same hath been practised in the several parts of England in that point as did Mr. Wiseman in a point concerning bastardy in the first session of King James for which he was commended and did receive satisfaction'. There were several bills concerning bastardy in the second and third sessions of James's first parliament, but Wiseman's remarks were not preserved in the Commons Journal.

²Montagu MS. fo. 10 adds 'to acquit or farther punish him'. Cf. 'Policies in Parliaments', p. 58; Hooker, p. [42]. On Parry, whose offending speech was made on 17 Dec. 1584, see J. E. Neale, *Elizabeth I and her Parliaments 1584-1601* (1957), pp. 39-41. For Pigott's case, see 16 Feb. 1606 (C. J., i. 335, 1014). Pigott was released on 28 Feb. (C. J., i. 344).

³Montagu MS. fo. 10: 'the abuses of some great officer'.

something amiss in the government or in withstanding or redressing some desire or pretended prerogative of the King's which he shall in his conscience conceive may not well stand with the good of the state,¹ or is against the law, and shall discreetly and temperately deliver the reasons of his conscience, he ought not for so speaking be called in question or any wise troubled, neither ought the House to be restrained from free debating of any such matter by any commandment from the King or his council, especially when the matter concerneth the interest of the subject in their good[s], lands or liberties. Of which there was a notable precedent in the fourth session of first parliament of King James, for the House beginning to enter into debate touching his Majesty's prerogative to lay impositions were by a commandment [*fo. 49v*] sent from his Majesty restrained to proceed therein whereupon they exhibited a petition to his Majesty wherein they did set forth that they held it an ancient and undoubted right of parliament to debate freely all matters which do expressly concern the subject and his right, which freedom of debate being once foreclosed the essence of the liberty of parliament is withall dissolved for if the subject should be restrained from speaking freely in parliament touching such things as concern their interest and rights, when they shall have occasion, it were impossible for them either to know or maintain their right and proprieties to their own lands and goods though never so just and manifest. And in all cases where the subject's right on the one side and the King's prerogative on the other cannot possibly be severed in debate of either, the King's prerogative of that kind concerning directly the subject's right and interest are and have been daily handled and discussed in ordinary courts at Westminster much more then ought they to be freely debated in parliament the supreme court of the Realm.² These are the words of that memorable remonstrance then exhibited to his Majesty.

Members not to be restrained where the subject's interest is concerned

A Remonstrance of the 4th sess. of 1 Parlt. of K. James

King's Prerogative may be debated when the subject's right is questioned so as they cannot be severed

In the beginning of the reign of King Phillip and Queen Mary when it was desired by the King and Queen that the crown might be entailed to them and the heirs of their bodies, that bill being earnestly³ spoken against by Sir Anthony Kingston, he was the next day sent for by the Queen and committed to the Tower, but being justified by the House

Sir Ant^o Kingston's case

¹ *Ibid.*: 'and for which there may be redress in parliament by way of petition or otherwise'.

² For the petition, see *C.J.*, i. 431, where the text is somewhat different. The writer may be recollecting from memory or quoting an earlier draft of the petition. The phrase, 'supreme court of the realm', is not in the petition as given in the Commons Journal but was brought out in debate. See Wentworth's speech (*Parliamentary Debates in 1610*, ed. S. R. Gardiner (Camden Old Ser., lxxxi, 1861), pp. 37-8). Wentworth's speech on 11 May (*Proceedings in Parliament 1610*, ii. 82-3) is also relevant.

³ Montagu MS. fo. 12: 'and temperately and discreetly'.

The H. refused to sit till
satisfaction given

in the manner of his speech as being no way unfitting (though it were very free) they did refuse any longer to sit until their member might be again restored to them, which was accordingly yielded to by the King and Queen.¹

Stat. 4 H. 8 Strode's case

[fo. 50] Of what great respect and consequence this privilege or immunity of parliament for freedom of speech hath ever been held and with what care from age to age preserved may appear by this that in the beginning of every parliament amongst those usual requests which are made by the Speaker unto the King in the behalf of the House one always is and hath been for the continuance of the liberty and freedom of speech,² and some men are of opinion that the word parliament is derived from *parler la ment* for that in parliament men should speak their minds freely.³ Upon this reason and ground was that general clause for freedom and liberty of speech in parliament, and exemption from any punishment to be inflicted for the same upon any man, put in and inserted into a private Act of parliament made in the 4 yr. H. 8 in the case of one Richard Strode who was called in question imprisoned and fined for speaking in maintenance of a bill in the parliament House; the words of which Act are these, 'Be it enacted that all such accusations, condemnations, executions, fines, amerciaments, punishments, corrections, grants, charges and impositions, put or had or hereafter to be put or had unto or upon the said Richard and to every other of the person or persons afore specified that now be of this present parliament or that of any parliament hereafter shall be, for any bill, speaking, reasoning or declaring of any matter or matters concerning the parliament to be communed or treated of, be utterly void and of none effect'.

'And it is further enacted that if the said Richard Strode or any of all the said other person or persons hereafter be

¹ For Kingston's case, see *Cal. State Papers Venetian 1555-6*, p. 283; Neale, 'Commons' Privilege of Free Speech', p. 275; J. E. Neale, *Elizabeth I and her Parliaments 1559-81* (New York, 1952), pp. 25-6. The precedent was cited in 1621 (*Commons Debates 1621*, vi. 345; v. 7; *C.ſ.*, i. 517). None of the material in the next paragraphs, up to and including the Floyd case on fo. 51v, is in the Montagu MS.

² Henry Elsyng believed that the first recorded Speaker's petition for freedom of speech was by Thomas Moyle in 33 H. VIII (H. Elsyng, *The Manner of Holding Parliaments in England* (1768), p. 176). In his 'Catalogue of the names of the Speakers of the Commons House of Parliament', appended to *The Passing of Bills*, Hakewill agrees with Elsyng, and adds that in 1 H. IV Sir John Cheney 'made a general request that the Commons might enjoy their ancient privileges and liberties, not naming any liberty in particular; and he is noted to be the first that is recorded to have made that request' (p. 213). This probably explains Hakewill's speech on the subject in 1621 (*C.ſ.*, i. 667) which is also quoted by Hatsell (*J. Hatsell, Precedents of Proceedings in the House of Commons* (4 vols., 1818), ii. 226). For a history of the request by the Speaker, see Neale, 'Commons' Privilege of Free Speech', pp. 259-69.

³ Cf. E. Evans, 'Of the antiquity of parliaments in England: some Elizabethan and early Stuart opinions', *History*, xxiii (1938), 208.

vexed troubled or otherwise charged, for any causes, as is aforesaid, that then he or they and every of them so vexed [*fo. 50v*] or troubled of or for the same, to have action upon the case against every such person or persons so vexing or troubling any contrary to this ordinance and provision. In the which action the party grieved shall recover treble damages and costs, and no protection essoign nor wager of law in the said action in any wise be admitted nor received'.¹

Upon the dissolution of this last parliament in March last 4 Car. R^a all the judges of England were commanded by the King to assemble and to consider whether the two last clauses in this statute for Strode 4 H. 8 were general clauses that did extend to all parliaments and all men that should be of any parliaments in after times, and upon several debates it was resolved by Hyde Chief Justice, Richardson Chief Justice de Banke, Denham, Hutton, Jones, Yelverton and all the rest (except Walter Chief Baron qui hesitabat) that they were but particular clauses that did extend only to Strode himself and his complices that did join with him in preferring a bill to the parliament against the proceedings in the Court of Stannaries. And it appears by the preamble of the statute that mentions only Strode and his complices; and the subsequent clauses depend upon the preamble for they are (unto or upon the said Richard and to every other of the person or persons before specified that now be of this present parliament or that of any parliament hereafter shall be etc.). So the words are not all persons, that shall be of any after parliament, but persons before specified, and to them all the words of these last clauses are restrained.

The opinions of the
Judges upon Strode's
Act

Upon further debate although this resolution upon the statute were held to be good, yet it was holden that this statute shews what the Common Law was before, [*fo. 5r*] vizt. that all men were freely to speak their minds in parliament without being damnified any way thereby and the [*blank*] of this statute doth import so much.²

That the House of Commons hath power of Judicature to imprison or fine, *Quære* whom and in what cases.

¹ 4 H. VIII, c. 8. The wording is substantially as given in the *Statutes of the Realm*, iii. 53. None of the material in the next paragraphs, up to and including the Floyd case on *fo. 51v*, is included in the Exeter or Montagu MSS.

² For this meeting of the judges, which began 25 Apr. 1629, see *Cal. State Papers Domestic 1628-9*, cxli, nos. 44-52; J. Forster, *Sir John Eliot* (2 vols., 1865), ii. 463-8; *Cobbett's Complete Collection of State Trials*, iii (1809), col. 237; 'At which time, one question was proposed and resolved, viz. "that the statute of 4 H. 8, intituled, 'An Act concerning Richard Strode,' was a particular act of parliament, and extended only to Richard Strode, and to those persons that had joined with him. . . . And although the act be private, and extendeth to them alone, yet it was not more than all other parliament men, by privilege of the house, ought to have, viz. Freedom of speech concerning those matters debated in parliament by a parliamentary course'."

2 April 10 Mariae
This appears in our
parliament Book

Manyngton shook Johnson, a burgess for Bedford, and Manyngton was sentenced and sent to the Tower. But this Conspiracy wounds the Honor and Fame etc.¹

8 Eliz. Long's Case
Onslow Speaker

Concerning the Mayor of Westbury, whom Long a member of the House abused in words and his election. The sentence was to the Tower for 6 months, fined, and expelled the House. This man may be thought fit to be expelled Grays Inn as a thing thought fit, but no part of the sentence.²

23 Eliz. Hall's Case
Popham Speaker

Hall writ a book which scandalized the House of Commons, fined at 500 marks, and imprisoned. vide the Book of the Parliament in the House of Commons.³ vide vet' magn. Cart' in capite Itineris in fine. Similiter de his vindictam fecerint, eo quod aliquo modo super predict. gravaminibus in Cur. Regis Conquest' fuerunt.⁴

vide 26 E. 3 cap. 4 tit. Maintenance Rastall 3 etc. the heavy punishment of them that take in hand quarrels other than their own which ever hath been taken for stirrers of quarrels.⁵ 18 E. 1. Prior Trinitatis London' and Rogo de Clare served a citation upon the Earl of Cornwall tempore parlamenti.

Sentenced to be committed to the Tower during the King's pleasure. 2000 marks to the King. 1000 to the Earl. And the House of Commons for their members have as great authority as the higher House have.⁶

18 Jac. Richardson then
Speaker

[fo. 51v] One Lloyd a Welsh gent and an utter barrister of the Inner Temple a notable Popish recusant was questioned in the Commons House for speaking contemptuously of the Queen of Bohemia, for calling her good wife Palsgrave, and for using such other lewd and reproachful speeches, which the House took to be an exceeding great offence as being without a cause uttered against so great so excellent and so rare a virtuous lady that her like was not to be found

Lloyd's case

¹ See C. J., i. 35, where the name is 'Monyngton', the date 23 Apr. and the charge that Monyngton had 'beaten' Johnson 'and put him in fear of his life'.

² C. J., i. 88-9; D'Ewes, p. 182. Richard Onslow was Speaker in 1566. The correct date for this episode is 1571 (13 Eliz.). In 1621, Hakewill cited Long's case (when he also placed it in 8 Eliz.) and Hall's case in parliament (*Commons Debates 1621*, ii. 131).

³ On Hall's case, see Neale, *Elizabeth I and her Parliaments 1559-81*, pp. 333-45, 407-10; C. J., i. 122-3, 125-7. The case was frequently cited, see *Commons Debates 1621*, i. 129.

⁴ *Magna Charta, cum statutis quae antiqua vocantur* (London, R. Tottell, 1556), fo. 158b: 'Et similiter de hiis qui vindictam fecerint, eo quod aliquo modo super predictis gravaminibus in curia domini regis conquesti fuerint, etc.' Cf. the note in *Statutes of the Realm*, i. 233.

⁵ 20 E. III, c. 4. For Rastall, see *A Collection in English, of the Statutes now in force* (1598), fo. 274, no. 3.

⁶ 18 E. I, no. 4, *Rot. Parl.*, i. 17 (where the name given is Bogo de Clare). This case is also discussed by Elsyng (*Manner of Holding Parliaments*, pp. 184-5).

in the whole world. Whereupon the House did sentence him to be committed to the Tower, to be fined, to ride upon a horse through London and Westminster with his face to his tail, and holding the tail in his hands. But this sentence being related to the King he holding that it was not warranted because the House had no power of judicature but on their own members, and for offences done in the House, or at the least during the sitting of the parliament would not suffer the sentence to be executed, but caused the matter to be presented to the Lords, and examined there in the House, and they gave the same or the like sentence against the offender, and it was executed upon him.¹

Sentenced by the Commons

The sentence not executed

The like sentence given by the Lords, and executed

[fo. 52] Not only the Speaker and the members of the House but such as come in message from Lords, also counsellors at the Bar and delinquents and others called to testify may speak in the House; and sometimes the House hath admitted a stranger into the House, and have heard him to speak in the House for their information.

What persons may speak in parliament

In the third session of King James 19 Martii Sir William Seton a Scottish knight at the motion of his Majesty was admitted into the House and heard to speak touching the clearing of a scandal which had been raised about partial proceedings in the borders of Scotland against one Barrow an Englishman condemned and executed in Scotland, at which time it was much disputed where he should stand, whether without the Bar or within, at length in respect he was recommended by his Majesty and in defence of the justice of the kingdom of Scotland he was admitted within the Bar.²

Strangers heard in the House

In the 8th year of Queen Eliz. one [blank] Hayes a merchant of London made suit to come into the House to put them in mind of matters of importance, and being heard, thanks was given him for his motion. 7 October. 2 Sess.³

In former times it was usual that some of the Lords of the upper House employed by that House or by the King did come into the lower House there to propound matters of importance of which more shall be said in the chapter of Messages.

The Speaker may not speak by way of persuasion or against any bill or any other matter propounded to be passed in the House, but to questions touching the order and rule of the House he may speak.⁴ Only the Speaker and none

Speaker and what he may speak

¹ Floyd's case is writ large in *Commons Debates* 1621, see i. 203.

² 19 May 1607 (*C.J.*, i. 375). Hakewill cited this precedent in parliament in 1621 (*Commons Debates* 1621, iv. 143).

³ 8 Oct. 1566 (*C.J.*, i. 74).

⁴ Cf. Smith, p. 55; 'Concerneinge the Speakers dutie', p. 93; Scobell, p. 7. For an order to this effect, see 27 Apr. 1604 (*C.J.*, i. 187). Montagu MS. fo. 8: 'and deliver his opinion as freely as any man. Nay it is his office so to do'.

other of the House may speak to messengers sent from the [fo. 52v] Lords, to lawyers at the Bar, to delinquents or others called to answer or testify;¹ but touching his speaking more shall be said in the chapter concerning the Duty of the Speaker.²

Such as speak are not stinted as to the length of their speeches

Such as speak are not stinted to any time for the length of their speech;³ but he that speaketh if he be observant shall easily perceive (even while he is speaking) how far he may presume upon the patience of the House in that regard, for if they be well pleased with the speech there will be a great silence and attention; if otherwise, they will talk one with the other, which will cause a murmuring noise and sometime they will hawk and hem or make some noise by scraping with their feet, that he which speaketh shall hardly be heard but by those that are near him, against which misdemeanour there have been divers orders made.⁴

To whom the speeches are directed

All speeches made by any of the House, or by messengers from the Lords or by counsel or others at the Bar, ought to be directed to the Speaker.⁵ But the Speaker himself (except it be to messengers in delivering the answers of the House, or to counsel, or others at the Bar) always ought to direct his speech to the House.

The Demeanour of those that speak

He which speaketh (as well the Speaker himself as all others) must stand up uncovered⁶ and ought to speak with a loud voice, and turn his face so as he may be best heard and seen, for if any man speak with a low and soft voice, he is usually called upon to speak out.

Time when to speak

No man may speak twice to one bill the same day, but if some question arise touching the order of the House about the proceeding in that bill he may then speak again. If a bill be twice or thrice read in one day, he may speak once to every reading, but that is not usual. Though [fo. 53] the debate of a bill be put over to another day, yet he that hath spoken the first day may not speak again the second day to the same bill.⁷

¹ Montagu MS. fo. 8: 'in any cause within the House'.

² For this chapter, see 'Concerneinge the Speakers dutie', pp. 90-5.

³ Montagu MS. fo. 8, and Exeter MS. fo. 1v: 'In the debate about impositions divers did spend about two hours apiece in continued speech . . . '.

⁴ Cf. 'Policies in Parliaments', pp. 51-2: 'After many speeches made in on matter, exept a man have extraordinarye favor in the howse it is not safe-speakinge; for it must be extraordinarye matter that must please then, espetially if uppon the end of a former speach, the question hath beene desired or that it be late'. In 1610, Sir Henry Hobart said, 'I will endeavor in this question to speak shortly as is fittest in parliament' (*Proceedings in Parliament 1610*, ii. 198).

⁵ Cf. Smith, p. 54; *Harleian Miscellany*, iv. 562; 'Policies in Parliaments', p. 51.

⁶ Cf. Hooker, p. [45]: 'But whensoever any Bil shalbe tryed either for allowances, or to be rejected: then every one ought to sit, because he is then as a Judge'.

⁷ *C.J.*, i. 245. Cf. Smith, p. 54; Hooker, p. [41]; *Harleian Miscellany*, iv. 562; Scobell, p. 45.

It is not usual to speak to a bill at the first reading thereof; but at the second reading, when the question is ready to be made for the commitment, and after the bill is returned and the question ready to be put for the engrossing. And lastly when it is read the third time and the question ready to be put for the passage, then are the usual times of speaking to bills and not else.¹

Not usual to speak to a bill at the first reading

The usual times of speaking

So likewise of provisos, additions, amendments, petitions and the like when they are secondly read and the Speaker is ready to put the question for committing them, or when they are read the third time, and that the Speaker is ready to put them to the question for passing: those are the times of speaking to them.

The time of speaking to provisos, additions, amendments, petitions etc.

No man ought to speak to any bill until the Speaker have first opened the same and declared the state thereof, which he doth presently upon the reading of the same.²

The Speaker first to open the bill

When argument ariseth upon any motion whatever made in the House any man may speak thereto more than once. Nevertheless it is seldom offered by any man the same day.³

Any man may speak more than once upon a motion

The like when argument groweth touching the orders of the House. At committees men may and do speak as often as they list.

Upon the orders

At Committees

[*fo. 53v*] In speaking by way of answer to another man's speech no man ought to name him that spoke, but if he have occasion to make mention of him, he must make some description of him, as the gent that spake last, or last save one, or that sitteth near Mr. Speaker's chair, or near me, above me or under me, or the like.⁴ Only the Speaker himself hath that privilege to name any man having relation to his speech.⁵ But if question grow touching the privilege of any one of the House or touching any other matter concerning him in particular then he may be named by those that speak of him in that business.

No man ought to be named by another, but described

The Speaker may name any man

Where a member is particularly concerned in point of privilege or other matter he may be named

No man ought to speak before another have fully ended his speech.⁶

No man to speak before another has ended

If any man offer to speak, when the Speaker standeth up to put the question, the Speaker ought to hear him and to sit down himself.⁷

If a man stands up to speak when the Speaker is putting the Question he is to be heard

¹ Cf. 'Concerninge the Speakers dutie', p. 93.

² Cf. 'Policies in Parliaments', p. 52.

³ See *Commons Debates 1621*, ii. 354; 'Policies in Parliaments', p. 52.

⁴ Cf. Smith, p. 54; *Harleian Miscellany*, iv. 562; 'Policies in Parliaments', p. 51; Scobell, p. 30.

⁵ Cf. *Commons Debates 1621*, ii. 47.

⁶ *Ibid.*, v. 475: 'Ordered that one who interrupts is to be censured by the House'; Scobell, p. 7.

⁷ Cf. 'Concerninge the Speakers dutie', p. 92; but see Scobell, pp. 7, 30.

Speak after the Question put and before the negative any man may be heard to the manner of putting the question

After the question is put in the affirmative and answered by the House, and before it be put in the negative, any man that will speak to the manner of the putting of the question ought to be heard of course.¹

Not usual to be heard to the matter

But if any man will then offer to speak to the matter in debate the House doth usually refuse to hear him. Nevertheless it hath been in special causes sometimes permitted, as in the 1st sess. of King James the 13 June, when one Mr. Ranister of Cheshire offered a proviso for Chester to the bill of Tonnage, after the question in the affirmative was put. Upon debate in the House whether he might be then heard to speak, it was resolved he might: but this is very seldom.²

After a decision no man should speak

After the matter is decided by the question no man ought to speak thereto.³

He that stand up first is to be heard, if a stand up at the same instant the Speaker decides which ought to speak first

[fo. 54] If two stand up to speak he that first stood up ought to be heard first. If they stand up at one instant the Speaker ought to decide which of them ought to speak first.⁴

He that speaks to order is to be heard before him that speaks to the matter

If he that stood up last will say that he intendeth not to speak to the matter but to the order of the House, he ought to be heard before the other that intendeth to speak to the matter, though he stood up before him.⁵

When the Speaker may interrupt

If any man speak not to the matter, the Speaker may and ought to interrupt him.⁶

So likewise if he fall into personal taxing of any man or into disloyal and unreverent speeches of the King or government.⁷

One that hath been a committee may speak against the body of the bill

It hath been questioned whether one that hath been a committee in a bill may speak expressly against the body of the bill, when it cometh to the question in the House, but

¹C.J., i. 237-8. Cf. 'Concerneinge the Speakers dutie', p. 94; *Commons Debates 1621*, v. 229; Scobell, p. 23.

²Ranister is not listed as an M.P. (*Return of the Names of Every Member*, 1878). See 'Concerneinge the Speakers dutie', p. 94; *Commons Debates 1621*, iv. 251.

³Cf. 'Concerneinge the Speakers dutie', p. 94. So ordered in 1621 (*Commons Debates 1621*, ii. 47); Scobell, p. 33.

⁴Cf. Hooker, p. [31]. This point was several times discussed in 1621 (*Commons Debates 1621*, ii. 246, 266; v. 215).

⁵Exeter MS. fo. 3: 'If 2 step up to speak to a bill at one time or a little one before the other, and one of them so far declare himself either of his own accord or upon a question made unto him by the Speaker that he intendeth to speak against the bill, he ought to be heard before the other that stood with him intending to speak for the bill'. An order to this effect had been made on 4 June 1604 (C.J., i. 232). This point was not included in the Montagu MS.

⁶Cf. Hooker, pp. [31, 45]; *Harleian Miscellany*, iv. 562; Scobell, pp. 31-3 (citing orders made in 1604).

⁷Smith, p. 55; Hooker, pp. [41-2]; *Harleian Miscellany*, iv. 562.

it hath been ruled he may, for it may be he hath changed his opinion upon better reason.¹

Any man may in speaking help his memory with notes.²

Neither the Clerk nor the Serjeant may speak in the House unless they be specifically demanded some questions by the Speaker by direction of the House. If the Clerk call to his mind any precedent which may guide the judgment of the House touching some matter in debate about the order of the House, he must privately inform the Speaker thereof and may not declare it by any public speech. The like upon all other occasions, except he be called upon by the House to speak. So likewise when the Serjeant giveth notice of any messengers come from the Lords or hath any other occasion to inform the House of anything, he ought not to declare it by public speech; but must inform the [fo. 54v] Speaker in his ear, who is to declare it publicly. But if upon any occasion the Serjeant be commanded by the House to declare anything publicly, which happeneth oftentimes when he is to make relation of the executing of some commandment of the House committed to his charge, he ought to stand within the Bar and near thereto, and turn his face to the Speaker, and ought (as all others) to direct his speech to him.

Notes

The Clerk and Serjeant not to speak, unless called upon by the House

The Clerk is privately to inform the Speaker of any precedent

The Clerk is privately to deliver his messages to the Speaker

If the Serjeant is on any occasion called on to declare any matter, he is to stand within the Bar, but near to it, and ought to speak to the Speaker

¹ Cf. 'Policies in Parliaments', p. 51: 'It hath beene held that he that hath beene a comitte in a bill may not speake directly agaynst the body of a bill, for by beinge a comitte it is supposed he liketh the bill for matter, but disliketh the fforme only which is the office of Comittees to amend'. Compare Hakewill on this point (*Passing of Bills*, p. 146).

² 1614: 'Sir William Candish spake in their behalf and red it out of his table booke, and was tolde by Sir Jhon Savil that it was the order of the house not to reade but to speake' (*Commons Debates 1621*, vii. 645). Surely the legal arguments in 1610 and 1628 were delivered from notes prepared beforehand; nevertheless 'set' speeches seem to have been frowned upon in the lower House. See 'A true presentation of forepast parliaments' (Folger Shakespeare Libr., MS. V.b. 189 p. 70): '... if (which God forbid) such men should be elected to give a voice in the propounding of laws and managing of other affairs in parliament as know not how to speak to purpose, or that shall speak to move laughter (a thing very ill beseeeming the serious gravity of so great an assembly) or that shall affect to tell stories, jests, tales, and dreams (strange ingredients to mix with *magna et ardua negotia*) or shall come with long premeditated, set, penned orations (a way of speaking, though good in itself, and elsewhere, yet no way importing either with the ancient custom or orders of the House of Commons, or the convenience of parliamentary dispatch, wherein time wasted needlessly, is very considerable, both for the King's and country's occasions'. The reference to dreams may be to the speech of Sir Francis Nethersole, 12 Apr. 1628: 'Mr. Speaker bids him set down. A parliament is no place to tell dreams in'. Sir Edward Coke could not refrain from comment (Borlase).

In the upper House, lords who used notes apologized for doing so (Elizabeth Read Foster, 'Procedure in the house of lords during the early Stuart period,' *Four. British Studies*, v, no. 2 (1966), 67).

The Pursuit of Political Success in Eighteenth-Century England: Sandwich, 1740-71

THE CAREER of the 4th earl of Sandwich from 1740 to 1771 must be the most chequered in the history of eighteenth-century English politics. It is also one of the most interesting, precisely for that reason. From the outset Sandwich clearly intended to make his way to the top, yet not until after two promising but false starts did he find a secure place there. The methods he chose, and their effectiveness, are an instructive commentary on the perennial problem of success as it relates to politics in his time.

Sandwich's career began in February 1740 when at the age of twenty-one he took his seat in the house of lords as an opposition peer. At the end of 1744 he was appointed a junior lord of the admiralty and in 1746 British minister to the peace conference between the Allied Powers and France—held at Breda and later at Aix-la-Chapelle—and minister to The Hague, holding all three offices simultaneously. From 1748 until his dismissal in 1751 he was first lord of the admiralty. When he returned to office in 1755, it was only as joint vice-treasurer of Ireland. In 1763 he became ambassador to Madrid and then in rapid succession first lord of the admiralty and secretary of state in the Grenville administration. After the dismissal of the ministry in 1765 there again followed a period of unemployment and opposition, ending as before with appointment to a minor office, that of joint postmaster-general. Then in December 1770 he became secretary of state in North's administration, and a month later first lord of the admiralty, holding the office against bitter but unjustified criticism until the ministry's collapse in 1782. Although he lived for another decade, he did not again hold ministerial office, partly because of his extreme unpopularity. His return to the admiralty in 1771 was the turning-point of his career, after which he finally came into his own as a political leader. In 1771, however, he was in his fifty-third year; already a career of more than thirty years lay behind him, during which he had thrice served his apprenticeship.

Sandwich is usually stigmatized as having been 'impelled to seek office by financial necessity'.¹ It is true that his fortune was much below his rank; although he assured the duke of Newcastle in 1748 that 'the Income of my private Fortune is fully sufficient for me to live upon', it was then no more than £3500 a year;² as first lord of the admiralty he received in salary and perquisites £3000 a year. 'My taste and my purse are at constant

¹P. Mackesy, *The War for America, 1775-83* (1964), p. 462.

²British Museum, Add. MS. 32811 fos. 184, 272-4.

variance, and never will or can act together', he wrote in 1764.¹ Not only was he financially dependent on office, he was willing to accept one inferior to his pretensions rather than have none; when his friend and patron the duke of Cumberland went into opposition in 1762, he had no choice but to break with him.² But one does not condemn a man because he must earn his bread. To say, moreover, that Sandwich had a chiefly monetary interest in office is to do him a great injustice, for his purpose in life was to be of public service. If all his life he coveted the admiralty, it was not for gain, but because he believed that he could contribute more to the nation as first lord than in any other capacity.³ After the War of the Austrian Succession he was a leader of the unsuccessful battle against Pelham's mistaken economies in defence.⁴ In the seventeen-sixties he foresaw that in the next war Britain must be prepared from the beginning to fight France and Spain together⁵ and after his return to the admiralty in 1771 he did everything in his power to make the navy equal to such a contest, chiefly by introducing a number of remarkable reforms into the royal dockyards.⁶ It was he who in 1749 conducted the admiralty's first inspection in the history of the yards; from 1771 he visited them annually until the pressure of war made this impossible. There are, indeed, many reasons to consider Sandwich one of the ablest first lords of the eighteenth century. As a diplomatist in 1746-8, entrusted with a mission of the utmost importance, he may not have been a shining success, but then his youth and inexperience, and the unusual difficulties under which he laboured, should be taken into account.⁷ As secretary of state in 1763-5 he probably did as well as anyone could have done, given the international situation.⁸ Whatever office he held, he brought to it the inquiring mind and tremendous, restless energy that made him an extremely effective administrator.

In the various Offices in which I have [served] . . . the Crown [he wrote in 1775], I have always found that 'til I understood the Business thoroughly myself, I was liable to imposition, and fearfull of taking any thing upon myself: and therefore I have made it my first Object to get free from these Shackles, as fast as I could,

¹ Sandwich to E. Wortley Montagu, jun., 16 July 1764, Sandwich MSS. I wish to acknowledge the kindness of Mr. Victor Montagu in permitting me to use the Sandwich MSS. at Mapperton.

² Sandwich to Cumberland, 10 Nov. 1762, Sandwich MSS.

³ *Correspondence of John, 4th Duke of Bedford*, ed. Lord John Russell (3 vols., 1842-6), i. 282-4; Brit. Mus., Add. MS. 32807 fos. 208-9.

⁴ J. Wilkes, *A Whig in Power: the Political Career of Henry Pelham* (Evanston, 1964), p. 183.

⁵ Public Record Office, Adm. 7/661 fos. 80-1.

⁶ See J. M. Haas, 'The introduction of task work into the royal dockyards, 1775', *Jour. British Studies*, viii, no. 2 (May 1969), 44-68.

⁷ He is given low marks by Sir Richard Lodge, *Studies in 18th-century Diplomacy, 1740-8* (1930), p. 325.

⁸ This was the opinion of Frank Spencer (*The 4th Earl of Sandwich: Diplomatic Correspondence, 1763-5*, ed. F. Spencer (Manchester, 1961), pp. 3, 65-6). A dissenting opinion is that of Sir Herbert Butterfield, 'British foreign policy, 1762-5', *Hist. Jour.*, vi (1963), 131-40.

by making myself Master of what I was to undertake; I then acted without fear, and probably have not exposed myself as much as I should have done, if I had not acted upon that foundation.¹

What is most striking about Sandwich's early career is that its success was due entirely to patronage. Few aspiring politicians can ever at one time have had as many powerful friends, all actively engaged in their behalf, as Sandwich had—the duke of Bedford, the duke of Newcastle, the duke of Cumberland. Nor is it likely that any has ever been patronized as lavishly as he was, especially by Bedford, with whom in one way or another he was connected until the duke's death in 1771. When Bedford joined the 'Broadbottom' administration in 1744 as first lord of the admiralty, he alone was responsible for Sandwich's appointment, not only to the admiralty board, but as second lord. Tiring of office after little more than a year, he agreed that Sandwich should succeed him as soon as practicable; in 1748 he became secretary of state with the avowed intention of handing over the seals to Sandwich. By then Sandwich was also Newcastle's protégé and had won warm approval from the duke of Cumberland, George II's favourite son. Newcastle was responsible for his appointment as minister to the peace conference with France in 1746; in 1748 he tried to make him secretary of state before settling on Bedford. To Sandwich it must have seemed that he had indeed found the key to a brilliant future.

The origin of the friendship between Bedford and Sandwich is to be found in their opposition, first to Walpole and then to Carteret. However, Sandwich's marriage in 1741 to Dorothy Fane undoubtedly served to link him more closely to Bedford through his brother-in-law Lord Fane, whom the duke held in the highest esteem.² Bedford, whose considerable political importance derived primarily from his illustrious family and unexcelled wealth, was well worth cultivating. The task must have put Sandwich's adroitness to the test, however, for by all accounts the duke was not an easy person to get on with.³ Yet if he thought well of a man there was almost nothing he might not do for him. How Sandwich succeeded in manipulating Bedford he described in 1748, in a letter to Newcastle, who wanted to know how to live in harmony with his new fellow-secretary.

The chief point with regard to the Duke of Bedford is the knowledge of his temper which in my opinion is generally misunderstood, as he has often been considered a positive violent man, & I own that I have allways thought him as ready to hear reason and to be convinced by it as any person I ever practised. Indeed people who don't know him & think to convince him by direct opposition to his sitem whatever it is will generally find him positive. But those that he thinks well of, & will give way in some parts of the argument & insinuate their reasoning calmly & by degrees upon the other points, will I think if they are in the right usually bring him into their opinion, & tho' perhaps he will not own it immediately,

¹ P.R.O., Adm. 7/662 fo. 73.

² H. Walpole, *Memoirs of the Reign of George II* (3 vols., 1847), ii. 47; iii. 94. Fane was M.P. for Tavistock on Bedford's interest from 1734 to 1747.

³ George II thought him 'proud, obstinate, haughty'. W. Coxe, *Memoirs of the Administration of Henry Pelham* (2 vols., 1829), ii. 365.

you will frequently the next day find that your reasoning has had its effect. But besides knowing the Duke of Bedford's own disposition it is absolutely necessary that you should secure the Dutchess's friendship, as he has with reason a great opinion of her, and that she has so much skill and address as to be certainly either a very good friend or a very dangerous enemy.¹

There is nothing very surprising about Bedford's decision to resign the admiralty to Sandwich; he found the routine of official business tiresome and was in fact temperamentally unsuited to any office. After 1745 he attended the admiralty board infrequently, relying instead on Sandwich and Rear-Admiral George Anson to carry on during his absences.² Except for Lord Vere Beauclerk, whose chances of being first lord were nil, Sandwich had no apparent rivals.³ But there was among the rising politicians of the second rank a fierce sense of precedence. It was unlikely in 1746, when the understanding between Bedford and Sandwich was reached, that those whose claims to preferment were greater than Sandwich's would have acquiesced, at least with good grace, in what they could only have regarded as a premature promotion. Sandwich's appointment as envoy to the peace conference in the summer of that year made it impossible for the time being for him to be first lord, yet it gave him time to establish his claim.

Sandwich was supported not only by Bedford but also by the group of politicians with whom the duke had been associated most closely in opposition and who constituted, in its earliest form, the party to which he gave his name. Although Bedford was the most prominent member, his father-in-law Lord Gower, a former tory chieftain, was also a political leader in his own right. Sandwich, Gower's Staffordshire neighbour George Anson, and Sandwich's kinsman Lord Halifax, late of the prince of Wales's party, were in that order the party's subluminares. Lord Chesterfield, another friend of Bedford and Sandwich among the opposition, remained peripherally associated with them after 1744 and took an active rôle in protecting Sandwich's reversionary interest in the admiralty.⁴ But Anson was the one most materially interested in Sandwich's succession, for Sandwich promised that he would have 'as much of the power of the office while I am at the head of it as he can ever desire'.⁵

So far as offices are concerned, the Bedford group was the second most important in the 'Broadbottom' ministry, although a distant second to the Old Corps of Whigs led by Pelham and Newcastle. They seem to have been reasonably loyal allies of the Pelhams, and in February 1746, along with most of the ministry, resigned in protest against their old enemy Granville's influence in the Closet.⁶ In the reshuffling of minor offices that

¹ Brit. Mus., Add. MS. 32811 fos. 281-2.

² Brit. Mus., Add. MS. 32807 fos. 208-9; D. A. Baugh, *British Naval Administration in the Age of Walpole* (Princeton, 1965), pp. 77-8.

³ Brit. Mus., Add. MS. 32807 fos. 208-9; *The Letters of P. D. Stanhope 4th Earl of Chesterfield*, ed. B. Dobrée (6 vols., 1932), iii. 834, 865.

⁴ *Letters of Chesterfield*, iii. 811-12, 818, 834-5, 856, 861, 865.

⁵ *Bedford Correspondence*, i. 192.

⁶ See J. Owen, *The Rise of the Pelhams* (1957), pp. 285ff.

followed the ministry's recall they received none of the spoils.¹ But they were already well provided and content, except for Halifax, whose sinecure of Master of the Buckhounds was far inferior to his pretensions. Gower acted as his advocate and when nothing better was forthcoming both threatened to resign. Had they done so, it is likely that Bedford, and perhaps Chesterfield, would also have resigned, leaving Sandwich with no choice but to follow suit. The threat of resignation may have been a bluff, but Sandwich had reason for alarm. So too had the Pelhams; the resignation of the Bedfords would not have destroyed the administration, but would have weakened it just as Pelham was consolidating his power. Sandwich took the initiative in seeking a solution that would both placate Halifax and preserve harmonious relations with the Pelhams, whose goodwill was essential to his interests. After some hard bargaining with Newcastle, Halifax was made chief justice in eyre north of the Trent.² For Pelham and Newcastle the lesson of these events must have been that Sandwich, of all the members of the Bedford party, was the one determined to conciliate rather than engage in faction.³ Hence, no doubt, Sandwich's appointment a few weeks later as minister to the peace conference at Breda and, in the autumn, as minister to The Hague, while still remaining at the admiralty board. From Pelham's point of view the appointment had the obvious advantage of cementing the Bedford alliance and further consolidating his authority as premier. Nor can the implications for his own future have eluded Sandwich. Not only had he been entrusted with a mission which, if he acquitted himself well, could be of infinite value, but he had earned the confidence of the two ministers who more than any others could either help or hinder his career.⁴

Although there were several reasons why Sandwich was chosen to go to Breda,⁵ it was Newcastle who suggested him in the first place. The government was divided between 'hawks' and 'doves'. The war party, consisting of George II, Cumberland, Newcastle, Lord Hardwicke and the Bedfords, wished to prolong the war until the Allies' bargaining position had improved. But Pelham, Lord Harrington—the Secretary responsible for relations with France and Holland—and Chesterfield believed that peace must be made as soon as possible. Newcastle, as secretary of state for the southern department, already controlled negotiations with Spain; in order to control those with France as well he proposed to Sandwich that the two of them should carry on a secret correspondence. Sandwich's acquiescence was the reason for his nomination as envoy. Indeed, as much as his own view of the national interest at this juncture, self-interest dictated that he should agree, for a

¹ Bedford, however, was made Warden of the New Forest.

² Owen, pp. 301-3; *Bedford Correspondence*, i. 84, 86-7; *Letters of Chesterfield*, iii. 761.

³ Buckinghamshire (Trevor) MSS., Hist. MSS. Comm., *14th Rept.*, app. ix, p. 149.

⁴ Brit. Mus., Add. MS. 32810 fo. 290.

⁵ Lodge, pp. 169-70.

confidential relationship with Newcastle could enhance his prospects of the admiralty. The whole business was shamefully underhanded and led to Harrington's resignation in October and then to that of his successor Chesterfield.

Newcastle's friendship for Sandwich, unlike Bedford's, was dictated by self-interest; its degree and duration, as events were to show, depended entirely on how well Sandwich served as an instrument of his policies. Fortunately for Sandwich his new patron at first had every reason to congratulate himself on the shrewdness of his choice. In January 1747 Sandwich signed a military convention with the Dutch, which was followed in the spring by the triumph of the pro-English Orange party over the pacific Dutch Republicans.¹ For the next year, under the influence of Count Bentinck, the Dutch ambassador at Breda, Sandwich kept alive Newcastle's conviction that the Netherlands would take a more active rôle in the war. Although he did not hesitate to throw out his own opinions from time to time, he none the less was careful always to defer to Newcastle's 'superior knowledge and experience'.² In view of his own inexperience, and especially the duke's temperament, it was the wisest way. Indeed, the least hint of displeasure in Newcastle's letters was sufficient to cause Sandwich the greatest anxiety. 'No diligence', he wrote, 'shall be wanting in me . . . to incline your Grace to continue in the favourable opinion you have conceived of me'.³ No wonder then that Newcastle wished to make him secretary of state. During the final stages of the peace negotiations, however, Sandwich so far forgot himself as to challenge instructions which he considered disastrously wrong, and Newcastle's friendship turned to implacable enmity.

Sandwich's diplomatic missions brought him into contact with Cumberland, commander-in-chief of the Allied army in Flanders, who formed a high opinion of him.⁴ The duke could not fail to be pleased and impressed by Sandwich's success with the Dutch; he must also have found the high-spirited Sandwich, who was only a little older than himself, a thoroughly congenial companion. When Newcastle broke with Sandwich in 1748, Cumberland took Sandwich's side; afterwards they were the most intimate of friends. When, as a result of Newcastle's machinations, Sandwich was dismissed in 1751, he symbolically received notification under Cumberland's roof.⁵ 'Your favour and protection . . . has been the pride as well as the comfort of my life', he wrote when they parted in 1762.⁶ Considering the duke's position, his friendship should have been invaluable; in fact, however, Sandwich reaped no very remarkable benefits from it. Cumberland's support was insufficient to secure the seals for him in 1748 or to prevent his dismissal in 1751. The most tangible advantage was his appointment as vice-

¹ *Ibid.*, pp. 237-42.

² Brit. Mus., Add. MS. 32806 fos. 206-8.

³ Brit. Mus., Add. MS. 32805 fo. 205.

⁴ Brit. Mus., Add. MS. 32807 fo. 43.

⁵ *Bedford Correspondence*, ii. 94.

⁶ Sandwich to Cumberland, 10 Nov. 1762, Sandwich MSS.

treasurer of Ireland in 1755. A sense of duty to his father the king, whom he feared to displease, prevented Cumberland from assuming the part he might have played in politics. Ironically, it was only in 1762 that he began to act the rôle which much earlier Sandwich must have expected.

Although Newcastle himself nominated Chesterfield as Harrington's successor in October 1746, Chesterfield proved no less pacific. Sandwich foresaw with some satisfaction that it was only a matter of time before Chesterfield either resigned or was dismissed, and that Bedford might very well be his successor, in which case he himself would finally be first lord.¹ At all costs, then, Bedford and Newcastle had to be kept on friendly terms. But at the end of 1747 Bedford became 'as violent for an immediate Peace, as any one', and except for Cumberland's support, Newcastle was isolated.² For Sandwich the turn of events was ominous; not only was he put in an awkward position, but his future was threatened. His efforts to reconvert Bedford having come to nothing, it was essential that the disagreement over policy should not lead to a personal rupture. 'You may easily conceive', he wrote to Anson, 'how important it is to me that that connection should continue in its full force, and I . . . beg of you to interfere with your friendly offices, & to do your utmost to repair the breach if there is one . . .'.³ Fortunately his fears proved groundless.

Newcastle finally decided to take over the northern department of state himself and install the pliant Sandwich in the southern, in effect as his surrogate.⁴ But the scheme was too clever, for not only did Sandwich not become Secretary, but his nomination, far from serving his interests, in fact harmed them. When Chesterfield, anticipating dismissal, suddenly resigned in February 1748, Newcastle immediately succeeded him without difficulty. Sandwich was another case. Given the almost universal clamour for peace, a second warlike Secretary—and one who was Newcastle's puppet—was an intolerable prospect.⁵ Sandwich was supported only by Cumberland and Newcastle and by the Bedfords, even though most, perhaps all of them, had turned pacific.⁶ Disagreement over policy, either foreign or domestic, was not usually a solvent of political alliances, as the case of both the Bedfords and the Pelhams shows. Individual and collective political interests were far more important as determinants of behaviour.

George II was opposed to giving Sandwich the seals. Clearly he did not share Newcastle's opinion of him—he thought him too pushing⁷—nor

¹ Brit. Mus., Add. MS. 32811 fos. 277–8.

² *Ibid.* fos. 87–9; Add. MS. 32810 fo. 373.

³ Brit. Mus., Add. MS. 15967 fo. 41.

⁴ See *A Selection from the Papers of the Earls of Marchmont*, ed. Sir George H. Rose (3 vols., 1831), i. 264.

⁵ Brit. Mus., Add. MS. 32811 fo. 213.

⁶ Clarke to Anson, 27 Feb. 1748, Sandwich MSS. Gower certainly belonged to the peace party, and probably Anson too; Halifax is an unknown quantity. See Brit. Mus., Add. MS. 32811 fo. 89.

⁷ Sandwich displeased George II by agitating for plenipotentiary powers, which were not conferred until 1748. *Letters of Chesterfield*, iii. 717–18; Brit. Mus., Add. MS. 32810 fos. 260–2, 330, 391.

had he forgotten the contemptuous references to Hanover and the dynasty which Sandwich had made while in opposition.¹ The king's aversion might have been overcome, however, had it not been for the premier's attitude. Pelham, who was rather out of patience with his brother, did not actually veto the appointment, but he and the dukes of Devonshire and Grafton obstructed it.² In fact it was opposed by a considerable part of the Old Corps and, except for the Bedfords, almost all the New Corps—those who had joined the administration in 1744. Newcastle indeed feared that had the appointment been made 'some parliamentary Attempt might have been stir'd up, to embarrass Affairs'.³

But if much of the opposition to Sandwich was really to Newcastle, it also reflected jealousy and distrust of Sandwich himself. He was, in effect, jumping the queue for office, and this aroused the resentment of subordinate ministers senior to himself in political service, especially those with whom he had served in opposition.⁴ Even though he certainly suspected as early as autumn 1747 that Newcastle might want to make him Secretary, there is no evidence that he encouraged the idea. He seems, on the contrary, to have realized that promotion at this point of his career would be premature and would saddle him with an insupportable burden of ill will. He did, however, anticipate the possibility that Bedford, if he became Secretary, might eventually resign in his favour. This, indeed, is exactly what Bedford, entirely of his own accord, intended to do when he accepted the seals.⁵ His reasoning seems clear enough. Sandwich, having succeeded him as first lord, would be in a more direct line of succession as secretary of state. When he had achieved the distinction of making peace with France, the present objections to giving him the seals would be blunted. It is difficult to know just how far Sandwich's ambition tended in this direction, except that he certainly was tempted. For the time being, however, he very wisely was interested only in the admiralty, which he believed he could have with comparatively little difficulty.⁶ But his rivals suspected him of intending to set up his own party and establish himself as a controlling force in politics before he had earned the right; such a man could not safely be permitted to have an office which afforded the fullest opportunity to extend his influence into the Closet.⁷ Sandwich vigorously defended himself against these charges of ambition⁸ and it is unlikely that his thoughts had progressed

¹*Parl. Hist.*, xii, col. 1077.

²*Brit. Mus., Add. MS. 32811 fo. 213; Coxe, i. 389-91; The Life and Correspondence of Philip Yorke, Earl of Hardwicke*, ed. P. C. Yorke (3 vols., Cambridge, 1913), i. 676.

³*Brit. Mus., Add. MS. 32811 fo. 213.*

⁴*Hardwicke Correspondence*, i. 630; Clarke to Sandwich, 27 Feb. 1748, Sandwich MSS.

⁵*Brit. Mus., Add. MSS. 32811 fos. 213-14, 15965 fo. 161; Bedford Correspondence*, i. 318-19.

⁶*Brit. Mus., Add. MSS. 32807 fos. 208-9, 32811 fos. 277-9; Bedford Correspondence*, i. 282-4.

⁷Clarke to Sandwich, 27 Feb. 1748, Sandwich MSS.

⁸*Brit. Mus., Add. MS. 15957 fo. 80.*

beyond his immediate objective, except perhaps in a general way. Yet in view of the extraordinary set of friends he had acquired—powerful men crying up his merits and conspiring to thrust him into high office—it is perhaps no wonder that he was regarded with apprehension.

Although Anson proposed Bedford as secretary of state so that Sandwich might be first lord,¹ at first there was apparently no intention of immediately appointing the duke's successor. In view of the commotion which Sandwich's nomination for the seals had created, it may have been thought prudent to wait until the air had cleared, nor had any thought been given to replacing him at Breda; indeed, he remained abroad until early 1749.² Bedford was apprehensive, and it was because of his insistence that Sandwich's promotion directly followed his own.³ The Bedfords' weight in the ministry now was considerably increased, and became greater still when Halifax was promoted first lord of trade in autumn 1748. But by then Newcastle had fallen out with Bedford and Sandwich: the consequences of this rupture, which disturbed the political atmosphere for nearly three years, ultimately proved fatal for Sandwich's career.

In February 1748 the Dutch finally admitted that unless they were heavily subsidized they could not possibly go on with the war. 'We have all been in a dream', the disillusioned Newcastle wrote to Sandwich, who was much to blame.⁴ In April preliminaries were hastily concluded by Britain, the Netherlands and France, but without Austria, who refused to make the sacrifices her allies expected. As a result the already weakened Anglo-Austrian alliance—the keystone of Newcastle's foreign policy—was in total disarray, and the duke subordinated everything to its rehabilitation. But Sandwich now became increasingly zealous for immediate peace, even without Austria if necessary.⁵ Newcastle thought him 'a little too much in a hurry', and began to cool in his attitude towards him.⁶ Then, early in August, in order to allay Austrian suspicions, he instructed Sandwich to show Count Kaunitz all his correspondence with the French. Sandwich and Bentinck were appalled, believing that this must cripple negotiations, if indeed it did not actually wreck them. Not only did Sandwich pen a vigorous dissent, but he 'committed the gross indiscretion of forwarding to Newcastle some rough notes which Bentinck had drawn up as material from which a strong protest . . . might be constructed'. For a time he even threatened to follow Bentinck's example and withdraw from the congress.⁷ Newcastle was beside himself with rage; Sandwich was 'abominable'; his

¹Anson to Sandwich, 15 Feb. 1748, quoted in Sir John Barrow, *The Life of George Lord Anson* (1839), pp. 201–2. The names of Gower, Fox and Pitt were also put forward. Brit. Mus., Add. MS. 32811 fo. 197.

²Anson acted as first lord during Sandwich's absence.

³Clarke to Sandwich, 27 Feb. 1748, Sandwich MSS.; Brit. Mus., Add. MSS. 15965 fo. 161, 32811 fos. 213–14.

⁴Lodge, pp. 312–20; Brit. Mus., Add. MS. 32812 fo. 11.

⁵See Lodge, pp. 382–7.

⁶*Bedford Correspondence*, i. 395.

⁷Lodge, pp. 387ff.; Brit. Mus., Add. MS. 32813 fos. 302–3.

conduct 'made such a breach . . . as could never be made up'. George II was furious, Cumberland reproving; even the peace party in the cabinet reluctantly agreed that the king's orders, having been given, must be obeyed.¹

Why did Sandwich, who hitherto had been so deferential, now take a step the consequences of which might have been predicted? So blinded was he by conviction that it did not occur to him that Newcastle might have reason to be angry. Moreover, save for Newcastle, the entire cabinet strongly concurred with his opinion;² yet Sandwich may be acquitted of ulterior motives. In attempting to exculpate himself, he wrote that he had acted only from a sense of duty to show Newcastle that 'there was no going on in perfect concert with the Court of Vienna, or at least with Count Caunitz'.³ This was in fact tantamount to saying that, inexperienced ambassador as he was, he knew better than the veteran Secretary Newcastle. He was both presumptuous and naive. By letting himself fall so completely under the influence of a foreign ambassador,⁴ he forfeited the confidence that had been placed in him. Bentinck must indeed be considered the true author of the remonstrance and thus of Sandwich's subsequent difficulties; except for him it might never have been written, or at least not in such imprudent language. But the remonstrance was not the only reason for Newcastle's anger. He believed that Sandwich was engaged in a campaign to discredit his policy.⁵ In this he was mistaken. It is true that in July Sandwich had in a sense gone over Newcastle's head by sending a communication to Pelham, and thus to the rest of the cabinet,⁶ but he had at the same time sent a copy to the duke.⁷ The treaty of Aix-la-Chapelle was concluded without Austria, but this was due to universal opinion in England and Holland which needed no encouragement from Sandwich. Newcastle's martyr-complex simply required that he should have been the victim of treachery.

Sandwich did everything in his power to make it up with Newcastle. Eventually an outward calm prevailed and the duke even made a show of amiability which, however, hardly masked his animosity.⁸ 'I am apprehensive (& not without reason)', Sandwich wrote when the treaty was concluded, 'that if I am not upon my guard & do not take my precautions in

¹ *Hardwicke Correspondence*, i. 663; Coxe, ii. 110n.; Brit. Mus., Add. MSS. 32815 fo. 55, 32813 fo. 296; Cumberland to Sandwich, 1 Sept. 1748, Sandwich MSS.

² *Bedford Correspondence*, i. 403.

³ Brit. Mus., Add. MS. 32813 fo. 317.

⁴ The extent of this influence is revealed in several of Sandwich's letters. Brit. Mus., Add. MSS. 32808 fos. 221-2, 32811 fo. 14, 32812 fos. 135-6.

⁵ *Hardwicke Correspondence*, i. 663-4; Brit. Mus., Add. MSS. 32813 fos. 298-9, 15957 fos. 79-80.

⁶ See *Bedford Correspondence*, i. 432-5; Coxe, i. 461; *Hardwicke Correspondence*, i. 665-6; Brit. Mus., Add. MS. 32813 fo. 317.

⁷ George II and Newcastle were in Hanover from May 1748 until the end of the year.

⁸ See Brit. Mus., Add. MSS. 32814 *passim*, 32815 fos. 125, 147-8, 223.

time he may endeavour . . . to discredit me . . .'.¹ In fact, however, Newcastle's quarry was not Sandwich, but Bedford, which was far more dangerous. Bedford's inattention to business had sorely provoked his colleague,² and in any case the temperaments of the two men made it impossible for them to live together in harmony so long as they shared responsibility for foreign affairs. From the autumn of 1748 Newcastle intrigued interminably to get rid of Bedford,³ who merely grew more obstinate, while Sandwich's future hung on the outcome.

One consequence of Newcastle's quarrel with Sandwich no one could have foreseen. Cumberland, hitherto Newcastle's chief support, was thrown into the arms of Sandwich and Bedford. Cumberland thought well of Sandwich and like many others considered the quarrel foolish and politically dangerous. He tried to effect a reconciliation, but Newcastle 'never honoured the Duke with any answer; left him off; grew cool, impertinent, and inveterate'.⁴ Henceforth Cumberland was Newcastle's avowed enemy whose malice was shared by his sisters, the 'mischief-making & mischief-meaning' Princess Amelia and the Princess Caroline.⁵ But so great was George II's dislike of Sandwich that their efforts did little good. In the end it was this dislike which Newcastle exploited in order to overthrow Bedford. The whole tiresome business was primarily a personal quarrel characterized throughout by intrigue on Newcastle's part and counter-intrigue by Sandwich and his friends. The pettiness to which it descended may be judged by the attempt of Cumberland and the Princess Amelia to ostracize Newcastle from society.⁶

A good deal is known of Newcastle's machinations, almost nothing of those of the Bedfords; but their schemes can hardly have borne comparison with those of the arch-intriguer himself. John Wilkes is of the opinion that Sandwich gave himself over almost entirely to intrigue, even to the point of neglecting the admiralty, solely for the purpose of being secretary of state.⁷ It is impossible to imagine intrigue on such a scale, nor is it true that Sandwich neglected the admiralty. Bedford was certainly determined that Sandwich should succeed him as Secretary, largely, it seems, because the Pelhams were determined that he should not. But Sandwich must have realized how impossible that now was; his intrigues were primarily a defence against Newcastle, the real aggressor. In 1749, nevertheless, the Bedfords did appear on the horizon as rivals to the Pelhams⁸ with the aim,

¹ Sandwich to Anson, 19 Oct. 1748, Sandwich MSS.

² *Hardwicke Correspondence*, i. 661.

³ Coxe, ii. 389-91.

⁴ *Ibid.*, ii. 110n; Brit. Mus., Add. MS. 15957 fo. 95.

⁵ Henry Fox's 'Memoir', *The Life and Letters of Lady Sarah Lennox 1745-1826*, ed. Mary Strangways, countess of Ilchester and G. S. H. F. Strangways, Lord Stavordale (1920), pp. 11-12.

⁶ Coxe, ii. 354-5.

⁷ Wilkes, p. 90.

⁸ *Hardwicke Correspondence*, ii. 88.

not of displacing them but of obtaining a larger, or, as Bedford later put it, a more equitable share of power.¹ The Pelhams understandably regarded Sandwich with distrust as, in Hardwicke's words, 'an ambitious, interested, warm young man, ready to make his court at any rate';² this, however, was an exaggeration. Yet despite the alliance with Cumberland, the Bedfords were consistently outmanoeuvred. The contest was not unrelated to larger issues of policy. But in their opposition to Newcastle's Austrian policy, the Bedfords were one with the premier;³ on the other hand, they led the opposition to Pelham's parsimony towards the navy and army, an issue on which they were supported by a Pelhamite as important as Fox.⁴

That Newcastle's machinations against Bedford, and indirectly against Sandwich, were foiled for so long was due almost entirely to Pelham. For some time he had been dissatisfied with his brother, who, he observed, had 'agreed with nobody' and had 'quarrelled with every minister . . . he was ever joined with'.⁵ Bedford's dismissal merely to satisfy one man's pique was out of the question; Pelham would not recommend it, and without his recommendation George II would do nothing. The premier did not like Bedford, but he found him a useful counterweight to Newcastle's 'extravagant and expensive' foreign policy.⁶ Moreover, so long as Bedford was a member of the administration it was easier to neutralize him and his friends than if they were out of it and under no restraint. Above all, Pelham was determined to keep the ministry together, an increasingly difficult task after 1748. 'If the D. of B. is either hurried out or quits with resentment', Hardwicke wrote early in 1749, 'it will make such a break in the [ministerial] party as will not be easy to be repaired'.⁷

Despite apprehensions, the Bedfords were not a serious threat to the Pelhams. In parliament there was only one trial of strength between the two groups, over a hotly disputed article of the Navy Bill of 1749 which would have made half-pay officers liable to the jurisdiction of courts martial, as they already were in the army. Pelham, in order to avoid trouble, decided that the article should be withdrawn; Sandwich, supported by Cumberland, was equally determined that it should remain. In this way, almost by accident, the matter acquired a partisan complexion. Pelham was alarmed. He might insist on excision, but Cumberland's opinion had considerable weight, so that not even all the Old Corps could be counted on; Fox, for example, voted for the article. Capitulation might be construed as evidence that the political balance was shifting. However, the king rescued Pelham

¹ *Ibid.*, ii. 116.

² *Ibid.*, ii. 87.

³ See D. B. Horn, 'The cabinet controversy on subsidy treaties in time of peace, 1749-50', *Eng. Hist. Rev.*, xlv (1930), 463-6.

⁴ Wilkes, p. 183.

⁵ *Hardwicke Correspondence*, i. 665, 676.

⁶ *Ibid.*, i. 676, 683; ii. 13; *The Diary of G. B. Dodington*, ed. H. P. Wyndham (4th edn., 1823), p. 158.

⁷ *Hardwicke Correspondence*, ii. 87-8; Coxe, ii. 377-88.

by declaring against the article, whereupon Cumberland retreated, and it was subsequently lost on the division in the house of commons.¹

The episode showed that George II had no intention of encouraging the Bedfords. It also showed that Cumberland would not oppose ministers on matters which the king approved; in 1751 he supported the Regency Bill, despite restrictions believed to be aimed at him personally.² Had Bedford and Sandwich gone into opposition they would have had no more than covert support from Cumberland. Their handful of adherents in the Commons, with no very important or articulate spokesman, was hardly formidable.³ Given the prince's antipathy to Cumberland, alliance with his small party was out of the question. Yet Pelham, no doubt mindful of Walpole's case, was right to do nothing against Bedford, for the Opposition would have immediately gained in influence and in time perhaps dangerously in numbers. The ranks of the ministerial party were growing restless after 1748. Pitt was making overtures to Leicester House at the time of the prince's death. Fox, Pelham's heir presumptive in the house of commons, was already assembling a circle of friends in preparation for his succession, very much as Sandwich had done. By 1751 he was closely connected with Cumberland and peripherally with Bedford and Sandwich, who hoped that in the event of a rupture with the Pelhams they could count on his support; but Fox had no intention of giving it, and told them so.⁴ At the same time, however, the Bedfords were less and less a thriving party. Halifax deserted when Bedford and Sandwich opposed his proposal to dispatch naval reinforcements to protect the colonists he had sent to Nova Scotia and his scheme to have the board of trade transformed into a third department of state for the colonies.⁵ Anson's marriage to Hardwicke's daughter Elizabeth and his desire to be first lord of the admiralty inevitably drew him to the Pelhams. Gower was disenchanted with Bedford and on excellent terms with the premier; when his son-in-law resigned in 1751 he refused to follow suit and

¹ *Commons Journals*, xxv. 708-846 *passim*; *Parl. Hist.*, xiv, cols. 398-425 *passim*; P.R.O., Adm. 3/60, 20 and 21 Feb. 1749; Coxe, ii. 64-5; *Hardwicke Correspondence*, ii. 85-8.

² Coxe, ii. 171-2.

³ It is difficult to determine precisely the Bedfords' strength in the Commons, but it seems to have been no more than 15. Of the four M.P.s who owed their seats to Sandwich, only two were his political subordinates. See J. M. Haas, 'The Rise of the Bedfords, 1741-57: a Study in the Politics of the Reign of George II' (unpublished Ph.D. thesis, University of Illinois, 1960), pp. 174-5. In the 1760s Sandwich had four subordinates in the house of commons, the largest number until after 1771. Such a following was useful but, considering the stakes for which he played, hardly a trump card. See Sir Lewis Namier, *England in the Age of the American Revolution* (2nd edn., 1963), p. 214 and n. 5.

⁴ G. S. H. F. Strangways, 6th earl of Ilchester, *Henry Fox, 1st Lord Holland* (2 vols., 1920), i. 159-61; Walpole, *George II*, i. 69.

⁵ Coxe, ii. 163, 378, 382; *Hardwicke Correspondence*, ii. 116; Halifax to Newcastle, 6 March 1750, quoted in O. M. Dickerson, *American Colonial Government, 1696-1765* (Cleveland, 1912), p. 122, n. 265; Walpole, *George II*, pp. 62-3, 68-9, 199.

was furious with his two sons when they laid down their offices.¹ Bedford notoriously neglected his duties and was increasingly unpopular with his colleagues.² Cumberland, the *bête noire* of Leicester House, was generally disliked and even feared as a potential military dictator in the event of the king's incapacity or death.³ Sandwich was shunned as an ambitious intriguer; a tendency, moreover, to meddle in political matters unrelated to the admiralty vexed his ministerial associates.⁴ When he was dismissed George II remarked how few friends he had.⁵

The prince's death in March 1751, and the consequent collapse of his party, neutralized the Opposition and eliminated one of Pelham's chief objections to Bedford's removal. But George II refused to hear of dismissal and Pelham would not recommend it.⁶ Newcastle therefore attacked Sandwich instead. The result was Sandwich's dismissal on 12 June and, as Newcastle had foreseen, Bedford's resignation immediately thereafter.⁷ But by this time Sandwich had lost much of his former influence with Bedford; when the duke resigned he told George II that he and Sandwich were no longer intimate.⁸ Indeed, his resignation was due not so much to sympathy for Sandwich as to an almost irrational rage against the Pelhams.⁹ The more intractable he became, the greater danger he was both to himself and to Sandwich. In the autumn of 1750 when it was suggested that he might prefer the ease of the Mastership of the Horse to the heavy burden of the seals, there is reason to believe that Sandwich may have advised him to acquiesce.¹⁰ Had he done so, Newcastle would undoubtedly have been satisfied, and Sandwich would have been safe. But Bedford was obsessed with the preposterous idea that Sandwich must succeed him.¹¹ When Sandwich learned that he was to be dismissed, he urged Bedford to retire

¹ Coxe, ii. 341; Walpole, *George II*, i. 190-2, 194. Lord Trentham was a junior lord of admiralty and Richard Leveson-Gower an under-secretary in Bedford's department.

² *Hardwicke Correspondence*, ii. 95-8; Coxe, ii. 377-8.

³ E. E. Charteris, *William Augustus, Duke of Cumberland, His Life and Early Times (1721-48)* (1913), p. 356; J. Waldegrave, 2nd Earl, *Memoirs from 1754 to 1758* (1821), pp. 21-2; Coxe, ii. 343.

⁴ *The Letters of Horace Walpole 4th Earl of Orford*, ed. Helen Toynbee (16 vols., Oxford, 1903), iii. 23; Coxe, ii. 358-60; *Hardwicke Correspondence*, ii. 87-8. Although Hardwicke's charge of meddling, made not long after Sandwich's return from the continent at the beginning of 1749, is unspecific and impossible to verify, there is no reason to disbelieve it.

⁵ R. Leveson-Gower to Sandwich, 13 June 1748, Sandwich MSS.

⁶ Coxe, ii. 144-5, 163.

⁷ It would appear, however, that George II was tricked; he was quite willing to have Bedford surrender the seals, but not to part with him altogether; in fact, he urged him to accept the presidency of the council, then vacant. *Ibid.*, ii. 402-3; Walpole, *George II*, i. 192-4.

⁸ Coxe, ii. 189.

⁹ See Leveson-Gower to Sandwich, 13 June 1748, Sandwich MSS.; Walpole, *George II*, i. 122, 132-53.

¹⁰ *Hardwicke Correspondence*, ii. 101-2; Coxe, ii. 389-91.

¹¹ Coxe, ii. 399.

to the presidency of the council, the office which had been offered to him by the king when he resigned. Finally, obviously hoping to avoid any new obligation, he suggested that Bedford should resign before he himself could be dismissed.¹ If he concluded that Bedford was an albatross around his neck, and if Bedford grew cool, it is understandable. The connection was by no means severed—Sandwich kept it up for what it might be worth in future—but the old relationship was finished. Already by 1751 Cumberland had replaced Bedford as Sandwich's principal connection. For a time, however, Sandwich continued under obligation to Bedford and in the next session of parliament this put him in an awkward position. When Bedford, already under the influence of his new factotum, the factious Richard Rigby, unexpectedly opposed Newcastle's subsidy treaty with Saxony, Sandwich 'by a most inconceivable jumble of cunning, spoke for the treaty, against the ministry; it is supposed lest the Duke [of Cumberland] should be thought to have countenanced the opposition . . .'.²

Although Sandwich's loyalty after 1751 was entirely to Cumberland, in practice he depended on the duke's man of business Henry Fox. Unlike Cumberland, Fox was a professional politician who, moreover, aimed to be premier. When the time came to speak of offices, it was Fox who did the bargaining and made the decisions. Yet he apparently placed no great value on Sandwich, who, after all, no longer had much influence with Bedford and whose only other connection, Cumberland, was Fox's bosom friend. Sandwich's career at every stage had depended on patronage and the convenience of others; had it not been for Bedford he might have spent years as a junior minister. He himself was of no particular importance—the reason for his dismissal from the admiralty is evidence of that. Fox of necessity had to angle for bigger fish if he was to be premier. Sandwich sank into obscurity. On the occasion of Fox's ill-advised coalition with Newcastle in 1755, he obtained a joint vice-treasurership of Ireland for Sandwich, largely to please Cumberland. Sandwich had already accepted the chief justiceship in eyre north of the Trent, but Newcastle insisted that it be given instead to Lord Sandys.³ A more sensitive man might have balked at the exchange. The one major office at Fox's disposal—the privy seal—went to Lord Gower⁴ in order to oblige Bedford.⁵ The real test of Fox's intentions to Sandwich came later, during the protracted ministerial crisis of 1757. After the dismissal of Pitt and Temple in March, Lord Winchelsea was made first lord of the admiralty on Fox's nomination; the southern department of state was left vacant. 'If H.M. thinks it necessary to make a Secr. of State immediately', Fox wrote to Cumberland, 'I would propose

¹ Strangways, i. 159–60; Walpole, *George II*, i. 188–9; Coxe, ii. 189.

² *Letters of Walpole*, iii. 83; *Parl. Hist.*, xiv, cols. 1178–9; Hist. MSS. Comm., *Stopford-Sackville MSS.*, i. 179–80. Cumberland apparently secretly approved Bedford's opposition. Walpole, *George II*, i. 250–1.

³ Brit. Mus., Add. MS. 32861 fos. 334–8.

⁴ Son of the first earl, who had died in 1754.

⁵ Fox to Newcastle, 12 Dec. 1755, quoted in Strangways, i. 298.

Lord Waldgrave, Lord Egmont, Lord Gower, or Lord Winchelsea & in that case Ld Sandwich to the Admiralty'.¹ This was as close as Sandwich came to promotion; Fox's subsequent plans took no account of him. The formation of the Newcastle-Pitt coalition in June was a disaster for both Sandwich and Fox, even though there were no proscriptions. 'This conclusive stroke will, I think, at last make me give up everything relative to home politicks and grow a country gentleman in good earnest', Sandwich wrote to Cumberland.² Indeed, there was nothing else for it, as he was 'very little acquainted with any of the present Ministers, & less inclined to be troublesome to any of them'.³ Yet he was not long in casting about for a useful connection, and, *mutatis mutandis*, the breach that 'could never be made up' was healed. 'I have not quite forgot, That We *once* loved one Another', Newcastle replied to Sandwich's overture.⁴ But their subsequent relationship hardly extended beyond mutual assistance in electoral politics.⁵

Anson's death in June 1762 gave Sandwich another opportunity to become first lord. George III and Bute were probably fishing for an accommodation with Cumberland and Fox as compensation for the loss of Pitt and Newcastle. But Cumberland, who shortly afterwards emerged as leader of the Opposition, was uninterested; when Sandwich saw Bute he did not give him an opportunity even to mention the admiralty.⁶ In the autumn, however, the political situation changed dramatically. Negotiations with Cumberland and Newcastle having come to nothing, the king turned to Fox, who deserted his patron and accepted the leadership of the house of commons. The choice Fox gave Sandwich was either to support the administration and stay in office or follow Cumberland and be proscribed. He offered little enough in return for Sandwich's sacrifice, but then no major offices were available. Sandwich refused the Post Office and accepted instead the ambassadorship to Spain, 'which of all things is what I should like the most'.⁷ The reason for his preference is impossible to fathom. At any rate, his political future could not have looked bleaker than in the winter of 1762-3. During the discussions which preceded the formation of Grenville's administration, neither Bute nor Fox suggested him for ministerial office, as they must have done had they thought him of any consequence. Only because of the fickleness of Charles Townshend, who accepted the admiralty and then at the last minute declined it, did Sandwich become first lord in April 1763.⁸ It is noticeable that Sandwich was only

¹ Brit. Mus., Add. MS. 51379 fo. 91.

² Sandwich to Cumberland, 16 June 1757, Sandwich MSS.

³ Brit. Mus., Add. MS. 32874 fo. 15.

⁴ Brit. Mus., Add. MS. 32872 fo. 196.

⁵ There are many instances in the Newcastle papers, e.g. Brit. Mus., Add. MS. 32874 fos. 15-16, 57, 96.

⁶ Brit. Mus., Add. MS. 32939 fos. 265-6.

⁷ Fox to Sandwich, 30 Oct. 1762, and Sandwich to Fox, 10 Nov. 1762, Sandwich MSS.

⁸ *Letters from George III to Lord Bute, 1756-66*, ed. R. Sedgwick (1939), no. 307n.; H. Walpole, *Memoirs of the Reign of George III*, ed. Sir Denis Le Marchant and G. F. R. Barker (4 vols., 1894), i. 209.

considered for a major office when an alternative to Townshend had to be found immediately. That he accepted shows that his eclipse had by no means been voluntary. It must have continued indefinitely if the change of administration had occurred any later, for his departure for Spain was imminent.¹

Sandwich did not remain long at the admiralty. After the death of Lord Egremont, one of the secretaries of state, in August, and George III's and Bute's abortive negotiation with Pitt which immediately followed, Grenville was faced with the task of reconstructing the ministry on a stronger basis. The best way of doing this, he advised the king, was to make Bedford president of the council and Sandwich secretary of state.² Why Bedford was considered a source of strength needs no explanation. But it strikes an odd note that Sandwich, to whom for a dozen years no one had paid much attention, should have been mentioned in the same breath. There was no possibility of recruiting from the Opposition, and of those who then held office Sandwich in seniority and experience was the likeliest candidate for the seals. The alternatives must have been Lord Egmont, a 'King's Friend' who, in view of the recent attempt to turn out the ministry, may have been considered unsuitable by Grenville, or perhaps the indolent Gower. As yet Grenville had no party or close connections.³ Sandwich, however, was on good, but apparently not intimate, terms with Bedford—he helped persuade the duke to accept the presidency⁴—and was once more very friendly with Halifax, the other Secretary. Grenville therefore may have hoped that by promoting Sandwich the inner cabinet would have the cohesion it otherwise lacked. Yet he did so at his peril, as he himself was aware, for with Bedford, Sandwich and Halifax united his own position was endangered.⁵

All three of Grenville's colleagues proved themselves factious, but Sandwich most of all. George III took a strong dislike to him,⁶ and in an attempt to divide the cabinet accused him of 'trying to take the lead in everything'.⁷ The charge is not unlike that made fifteen years before, but is easier to substantiate. Both Sandwich and Halifax almost immediately clashed with Grenville over patronage, which they assumed he would share equally with them as he formerly had done perforce with Halifax and Egremont when the ministry was a triumvirate.⁸ It must be noted that

¹P.R.O., Adm. 3/70, 2 May 1763.

²*The Grenville Papers*, ed. W. J. Smith (3 vols., 1852), ii. 205. In the event, Sandwich became secretary of state for the northern department, succeeding Halifax, who preferred the southern department, probably because of his interest in colonial affairs.

³See *ibid.*, ii. 102; Sandwich to Grenville, 31 Aug. 1765, Sandwich MSS.

⁴*Grenville Papers*, ii. 108; Sandwich to Grenville, 3 Sept. 1765, and Sandwich to Bedford, 5 Sept. 1765, Sandwich MSS.

⁵*Grenville Papers*, ii. 205.

⁶*Ibid.*, ii. 496.

⁷*Ibid.*, ii. 227–8.

⁸*Ibid.*, ii. 206–22 *passim*.

Grenville monopolized patronage to an unprecedented degree, and at the expense of the Secretaries.¹ Sandwich went over the premier's head to the king and then forced both to approve his candidacy for the Stewardship of Cambridge University which led to a bitterly partisan contest with the Opposition—an example of eighteenth-century English politics at its worst.² Sandwich and Halifax took George III's side when Grenville resisted his demand for the dismissal of General Conway, who had voted against the ministry in the affair of Wilkes and the *North Briton*.³ Finally, during the ministry's last days, Sandwich proposed to do everything possible to embarrass the king's negotiations with the Opposition.⁴ Yet, despite an undercurrent of uneasiness, ministers co-operated harmoniously in the long run, as indeed they had to do if they were to continue in office, for George III only wanted an opportunity to throw them over. When Fox, who had a poor opinion of Grenville and Halifax, urged Sandwich to curry favour with the king by courting Bute, Sandwich quite properly replied that 'clear and consistent' conduct towards his colleagues was essential.⁵ The habit of strict union,⁶ acquired in office and cemented by a common attitude to America, kept the Bedfords and Grenvilles together in opposition for more than two years after their dismissal in July 1765.

Although Sandwich and Halifax co-operated very closely during the Grenville administration,⁷ Halifax faded into obscurity after 1765 and their subsequent relationship is of no significance. Nor had Fox's friendship much value after his retirement from politics in 1763; indeed, his dismissal from the Pay Office in the spring of 1765 resulted in a virtual end of intercourse. Sandwich was in no way responsible, but he did nothing to avert the blow, arguing that considering his colleagues' determination there was nothing he could have done.⁸ From 1763 Bedford was Sandwich's only useful connection and the one on whom he necessarily placed all his reliance; yet he seems never to have succeeded in breaking into the inner circle of Bedford's friends—Gower, Weymouth and Rigby, who increasingly were the real leaders of the party. Rigby aimed no higher than the Pay Office, but the other two were ambitious and appear to have regarded the much abler Sandwich as a rival.

At the end of 1767 the Bedfords abandoned their allies in opposition, the Grenvilles and the Rockinghams, and joined Grafton's administration.

¹ Sir Lewis Namier and J. Brooke, *The History of Parliament. The House of Commons, 1754-90* (3 vols., 1964), ii. 541; R. Pares, *King George III and the Politicians* (Oxford, 1953), p. 178.

² *Grenville Papers*, ii. 227-8, 236; D. A. Winstanley, *Personal and Party Government, a Chapter in the Political History of the Reign of George III* (Cambridge, 1910), pp. 284-304.

³ *Grenville Papers*, ii. 166, 230-1.

⁴ *Ibid.*, iii. 52ff.

⁵ Brit. Mus., Add. MS. 51386 fos. 168-9, 172.

⁶ See Bedford to Sandwich, 10 July 1765, Sandwich MSS.

⁷ See Halifax to Sandwich, 15 Nov. 1766, *ibid.*

⁸ Brit. Mus., Add. MS. 51386 fos. 178-97 *passim*; Sandwich to Holland, 25 May 1765 and Holland to Sandwich, 3 June 1765, Sandwich MSS.

The state of Bedford's health precluded his taking office, even had he been so inclined, but Gower became president of the council, Weymouth secretary of state for the southern department, and Rigby Paymaster of the Forces. For Sandwich nothing better was found than the Post Office. The refusal of his son Lord Hinchinbrooke to give up opposition, for which he himself was in no way to blame, had done him some damage.¹ Horace Walpole's belief that the greatest harm was done by his own rôle in the Wilkes affair seems far-fetched, especially in view of the ministry's prosecution of Wilkes in 1768-9.² The real reason for Sandwich's indifferent treatment seems to have lain in his secondary importance to Gower and Weymouth. There may have been an attempt to get him something better;³ if so, it is unlikely that it was pressed very hard. He knew his claims were weak and in 1766 had been willing to accept an office of less than cabinet rank rather than none at all.⁴ Nor does he appear to have had much of a rôle in negotiations either then or in 1767.⁵ In 1766 Bedford stipulated offices for Gower, Weymouth and Rigby, but mentioned Sandwich only as one who, among others, might be of use.⁶ At the time of negotiations in 1767, Newcastle recalled that Bedford had said 'he would answer for himself and his friends—Lord Gower, Lord Weymouth, the Duke of Bridgewater [his nephew], and I think he named Lord Sandwich . . .'.⁷ By then the administration urgently required an infusion of new blood; but 'the Rockinghams would not come in except to form a new Administration; Grenville was not acceptable to the King; only the Bedfords remained'.⁸ Considering the circumstances, they came in on modest terms indeed. Perhaps they concluded that two major offices were all they could then decently insist on; yet it is apparent that Gower and Weymouth had long since made certain that they would have the plums.

Sandwich had every reason to be dissatisfied with his situation, especially now that the Bedfords held so strong a position; consequently he bestirred himself as he had not done for nearly twenty years. He coveted the admiralty, but was willing to accept an equivalent post. In 1768 he used his influence in the East India Company⁹ to further the government interest, employing his friend Robert Jones, a director, as his agent. When Grafton, through his man of business Thomas Bradshaw, sought to repay Jones, the latter

¹ R. Rigby to Sandwich, 24 Sept. 1768, Sandwich MSS.

² Walpole, *George III*, iii. 135.

³ J. Brooke, *The Chatham Administration, 1766-8* (1956), p. 331.

⁴ Sandwich to Bedford, 28 Nov. 1766, Woburn MSS., liv. 112, quoted *ibid.*, p. 63.

⁵ For the Bedfords' negotiations with Chatham and Grafton in 1766-7, see Brooke *passim*.

⁶ *Bedford Correspondence*, iii. 359.

⁷ Brit. Mus., Add. MS. 32921 fo. 303.

⁸ Brooke, p. 324.

⁹ On Sandwich's influence in the East India Company, see Lucy S. Sutherland, *The East India Company in 18th-century Politics* (Oxford, 1952), pp. 124-5, 277; I. R. Christie, *The End of North's Administration, 1780-2* (1958), p. 204; Sir N. W. Wraxall, *Historical Memoirs of My Own Time* (Philadelphia, 1845), p. 181.

exercised 'the authority your Lordship gave me at Epsom, I told him I had but one wish and that was to see my best friend happy pointing to your Lordship's picture. He [Bradshaw] desired me in confidence to explain . . . which led me to the Admiralty'. Bradshaw confided that Shelburne would soon resign the seals; in fact both Shelburne and Chatham resigned a few weeks later. Sandwich now employed both Jones and Rigby to solicit either the admiralty or, alternatively, the northern department of state. However, Sir Edward Hawke, the first lord, would not retire voluntarily and there was no intention of dismissing him; Lord Rochford had already been designated Shelburne's successor. Bradshaw asked Jones 'if there was any other office that would be agreeable', no doubt meaning the privy seal, which Pitt was about to resign. There was not. Sandwich was bitterly disappointed; indeed, he considered withholding support from the government in the approaching session of parliament.¹

Again Sandwich was defeated by a combination of circumstances. His son's conduct still counted against him, and Grafton was probably reluctant to increase the Bedfords' influence in the cabinet. Once more there is the question of just how energetically his friends urged his claims. Rigby seems to have been as candid as he was friendly, but Gower and Weymouth are lesser-known quantities. In the summer of 1770, when he was again angling for the admiralty, Sandwich complained of their lack of enthusiasm; there is reason to believe that the complaint was retrospective; moreover, it may be significant that it was made through an intermediary. Gower's reply was that 'since the Duke of Grafton's retreat, they had not the same claims which they had a right to from him, but that you was mistaken if you supposed that they did not wish to see you advance as far as you could wish'.² But to speak of 'claims they had a right to' was to beg the question; it implied the dominant position which, after the resignation of Chatham and Shelburne, the Bedfords in fact enjoyed in the administration. One can only conclude that Gower and Weymouth had never really wished to see Sandwich advance as far as he desired. When Weymouth resigned under pressure in December 1770, he recommended Sandwich as his successor, but he had good reason to do so; not only was Sandwich's promotion necessary if the Bedfords were to maintain their standing in the ministry, but it gave Weymouth an opportunity to claim the Post Office for his brother.³

From the autumn of 1768 until the summer of 1770 Sandwich's agitation for promotion appears to have ceased; it would have been pointless in any case. Except to fill up vacancies, Lord North, when he became premier in January 1770, made no ministerial changes. But during the summer

¹R. Jones to Sandwich, 12 and 28 Sept. 1768, and Rigby to Sandwich, 24 Sept. 1768, Sandwich MSS.

²R. Phelps to Sandwich, 10 Aug. 1770, *ibid.*; *The Private Papers of John, 4th Earl of Sandwich, 1771-82*, ed. G. R. Barnes and J. H. Owen (4 vols., 1932-8), i. 11.

³*The Correspondence of George III from 1760 to December 1783*, ed. Sir John Fortescue (6 vols., 1927), iii, no. 854.

Grafton sought to return to office as first lord of the admiralty,¹ and Sandwich immediately staked his claim. He turned first to Rigby, who replied that application would have to be made directly to North. North's reply to Sandwich's overtures indicated that the ailing Hawke would be removed by death alone, but he went on to assure Sandwich that 'my good offices are not and shall not be engaged to any other'.² Not long afterwards Weymouth's bellicose policy in the Falkland Islands dispute brought the country perilously close to a war which it was ill prepared to fight and did not want, and he was obliged to resign in December.³ Sandwich, the only person available and suited to the office, succeeded him. But George III was much concerned that he should know that he owed the appointment solely to himself and North and not to Weymouth and Gower, from whom in order to weaken their party the king wished to detach him.⁴ A few weeks later, in January, Hawke finally resigned, and at last Sandwich was first lord. There were two admirals—Howe and Keppel—with considerable experience of naval administration who might perhaps have been appointed instead, but neither appears to have been interested; besides, Howe was a Chathamite. North thus was obliged to choose a politician, and Sandwich unquestionably was the best qualified. But it is apparent that the premier, convinced that Sandwich would fill the office with distinction, had already made his choice the previous summer. After all, considering his efforts to be first lord, Sandwich's plans to put the navy on a sounder footing must have been well known.

Sandwich's appointment as first lord of the admiralty in 1771 marks the end of thirty years of political dependence and the turning-point of his career. This was by no means evident at the time. But his relations with Gower and Weymouth were already strained; his succession, first as secretary of state, and then as first lord, was due not to them but to the king and North, a fact which was not lost on him. Moreover, Bedford died in the very month that Sandwich returned to the admiralty; the event, in its timing, was almost symbolic. Sandwich set up for himself; he had eleven years to do so; the character of North's premiership and the accidents of the administration were favourable. By exploiting the patronage of the admiralty and his East India Company interest, and by using his position in the cabinet, which after 1775 attained commanding importance, he acquired by degrees a large corps of subordinates in the house of commons;⁵ he became at last a political leader in his own right.

Sandwich's career until 1771 is an example of a strategy—a combination of patronage and party—commonly employed in the oligarchic-aristocratic framework of eighteenth-century English politics. 'A party', in Lord

¹R. F. Mackay, *Admiral Hawke* (Oxford, 1965), p. 324.

²*Private Papers of 4th Earl of Sandwich*, i. 7-13.

³*Correspondence of George III*, ii, nos. 848, 852-3.

⁴*Ibid.*, nos. 856, 859.

⁵Sandwich's party in 1780 numbered 17, more than all the Bedfords together had been able to muster 30 years earlier. Christie, pp. 203-5.

Cornbury's words, 'is what, whether one will or no, one must finally act for'.¹ Not even Pitt eschewed party during his early political career, nor, though he subsequently held himself above parties, was he able to do without them. Sandwich's dual connection with Bedford and Newcastle is indicative of how party distinctions were sometimes blurred, as are the manoeuvres of the Old Whig Fox, flirting discreetly with the Bedfords and then becoming Cumberland's political manager. Sandwich's successive changes of allegiance, like those of Halifax, Anson and Fox, show the fluidity of party membership at the top. If events proved that Sandwich made a mistake in eventually relying on Cumberland, it was a mistake also made by the politically more astute Fox. The choice of Fox over Cumberland was, as it turned out, the right one, for Cumberland would have led Sandwich into the camp of the Rockinghams, whose policy, when America became an issue, was at variance with his own views, and who in any case spent all but one of the next twenty years in the wilderness. But the choice was based on personal reasons rather than strictly political calculations; indeed, it is difficult to believe that Sandwich looked beyond the immediate advantages. His change of circumstances in 1763 was a case of mere luck. When George III dismissed the Grenville administration in 1765, Sandwich had no alternative but to throw himself once more on Bedford's good offices. But he had to yield precedence to politicians who had staked better claims to them while he himself, identified with Cumberland and Fox, had only stood on the margin of Bedford's party. From 1751 until 1771, in fact, Sandwich lived pretty much from hand to mouth. That he did so was primarily due to his reliance on patronage which was useful if not indispensable to young, ambitious politicians. But Sandwich as a young man was too ambitious; at least the interest of his friends made him seem so. He erred in courting and winning too many great patrons at one time, which contributed to his rebuff in 1748, and in depending on them almost entirely. As a result, despite his apparent success in the late seventeen-forties, he failed to attain sufficient personal importance, and afterwards paid the penalty of continued dependence and frustrated ambition. If there is a lesson to be learned from Sandwich's career, it is that patronage when modestly used was in the eighteenth century a tolerable tonic, but in large doses was dangerous, and certainly a poor substitute for that universal specific, merit.

JAMES M. HAAS

¹ *Grenville Papers*, i. 5.

Notes and Documents

*A Fifteenth-century Interrogation of a Political Prisoner*¹

ONE OF THE first tasks of the French administration in its newly-recovered duchy of Guyenne was to rid it of brigands who claimed to be partisans of the English.² In February 1454 one such partisan, Bernard Georges, was interrogated under duress by the French at Bordeaux. His confessions, which were later confirmed voluntarily by him, were of greater value to the French than others of their kind. Bernard Georges was implicated in a plot to deliver Bordeaux to the English under Talbot in October 1452. He was also able to give information on the activities of those Gascons still suspect to the French administration. In addition, he provided them with knowledge of the whereabouts of brigands who claimed to be acting on behalf of their 'sovereign and natural lord', Henry VI of England. The depositions published below thus furnish valuable evidence of the state of public order in a recently recovered province, of the attitudes towards English and French sovereignty among certain elements there, and of the process by which interrogation was conducted in the mid fifteenth century. Such documents are rare. With the exception of depositions taken during the trial and rehabilitation of Joan of Arc,³ and of certain interrogations concerning the crimes of *écorceurs*,⁴ surviving records of this kind are few. Their survival, in the collections of seventeenth- and eighteenth-century scholars such as Duchesne and Legrand, seems quite fortuitous.⁵ They form no distinct

¹ I must thank Mr. P. S. Lewis for first drawing my attention to the document which is edited below. Dr. P. Chaplais kindly gave his advice on its transcription. A detailed account of the circumstances surrounding the events to which it relates can be found in my article 'The last years of English Gascony, 1451-3', *Trans. Royal Hist. Soc.*, 5th ser., xix (1969), 119-38.

² For the activities of French 'partisans' in Normandy during the English occupation of 1424-9, see G. Lefèvre-Pontalis, 'La guerre de partisans dans la Haute-Normandie', *Bibl. Ec. Chartes*, liv (1893), 475-521, lv (1894), 259-305, lvi (1895), 433-508, lvii (1896), 5-54, xcvi (1936), 102-30. Another view of the 'patriotism' of the Norman brigands is contained in B. J. H. Rowe, 'John duke of Bedford and the Norman "brigands"', *Eng. Hist. Rev.*, xlvii (1932), 583-600.

³ See *Procès de condamnation et de réhabilitation de Jeanne d'Arc*, ed. J. Quicherat (5 vols., Paris, 1841-9) and the additional texts edited by P. Doncoeur in *La Minute française des interrogatoires de Jeanne la Pucelle* (Melun, 1952).

⁴ See A. Tuetey, *Les Écorcheurs sous Charles VII* (2 vols., Montbéliard, 1874), ii, 301-80.

⁵ For the depositions taken at an enquiry into the raising of a cry at the siege of Castillon in July 1453 see Bibliothèque Nationale, Paris, MS. Duchesne 108 fos.

class among French legal and administrative records. Such enquiries, conducted by commissioners appointed on an *ad hoc* basis, must have been among the most common means of gaining information in fifteenth-century France.

It is known that the evidence extracted so laboriously from Bernard Georges was intended for other ears besides those of his interrogators and torturers. On the dorse of the final page of the depositions the words 'proces apporté de Bordeaulx' appear in another fifteenth-century hand.¹ This version of the interrogation must therefore be a copy sent from Bordeaux to Paris, probably to the archives of the Parlement. In 1454 the duchy of Guyenne was judicially subject to the Parlement of Paris, a situation which was formalized by a commission on the administration of justice in that year.² It was not until 1462 that the duchy achieved independence of the Paris Parlement with the establishment of the provincial sovereign court at Bordeaux.³ Until that date justice was administered in the duchy by commissions from the Parlement of Paris and by the local courts of first instance. Appeals were heard by specially appointed commissioners from the Parlement, who held their *Grands Jours* at Bordeaux in 1456 and 1459.⁴ The questioning of Bernard Georges was thus undertaken by five of the king's officials in the *sénéchaussée* of Guyenne, under the authority of the seneschal's lieutenant. Little is yet known of the careers of these officials. Jean de Filz, licenciate in laws, was to be lieutenant of the seneschal of the Landes in 1456 and 1459 and had formerly been *prévôt* of St. Sever.⁵ In October 1459 complaints were made at the *Grands Jours* against abuses committed by him when in office.⁶ Of Théaude de Valpergue, knight, king's councillor and chamberlain, more is known. He was among the trusted lieutenants of Charles VII during the campaigns in Normandy in 1450, and led the punitive expedition against Jean V, count of Armagnac, in 1455.⁷ An Italian, he served as mayor and captain of Bayonne after his resignation from the *sénéchaussée* of Guyenne in January 1459.⁸ His commission as

35r-42r. The document edited below (B.N., MS. fr. 6963 fos. 26r-29r) was in the collection of MSS. used by the Abbé Legrand for his work on the life of Louis XI.

¹B.N., MS. fr. 6963 fo. 29v.

²For the commissioners' findings see *Livre des Coutumes*, ed. H. Barckhausen (Archives Municipales de Bordeaux, v, 1890), pp. 642-80.

³See E. Brives-Cazes, *Origines du parlement de Bordeaux* (Bordeaux, 1887).

⁴For the registers of the *Grands Jours* see *A[rchives] H[istoriques du Département de la] G[ironde]*, ix (Bordeaux, 1867), pp. 3-522. Also, for an account of judicial innovations in Guyenne after the French reconquest, G. Hubrecht, 'Juridictions et compétences en Guyenne recouvrée', *Annales de la Faculté de Droit de l'Université de Bordeaux, sér. juridique*, 3me année (1952), nos. 3-4, pp. 63-79.

⁵G. Dupont-Ferrier, *Gallia Regia ou état des officiers royaux des bailliages et des sénéchaussées de 1328 à 1515* (7 vols., Paris, 1942-66), iii. 514; *A.H.G.*, ix. 247.

⁶*A.H.G.*, ix. 360 (31 Oct. 1459).

⁷See Dupont-Ferrier, iii. 583-4. Also B.N., *pièces originales*, 2924, Valpergue 64967, no. 15, and G. Dufresne de Beaucourt, *Histoire de Charles VII* (6 vols., Paris, 1881-91), vi. 7ff.

⁸Dupont-Ferrier, iii. 584.

seneschal in 1454 stemmed from the fact that Olivier de Coëtivy, who had been appointed seneschal in June 1451, was in the hands of the English after his capture at Bordeaux in October 1462.¹

François du Volier, licencié in laws and deputy of the king's proctor in the *sénéchaussée* of Guyenne, was present as an assessor at the *Grands Jours* of 1456.² Guillaume de Blays, *prévôt* of the castle of the Ombrière at Bordeaux, and thus responsible for such matters as jurisdiction over foreign merchants, was to be involved in a dispute over his right to the office in September 1459.³ Jean Bragier, executor and keeper of the seal and counterseal for contracts at Bordeaux, rose to become lieutenant of the seneschal by 1457 and king's advocate in Saintonge.⁴ Aymery Rabeau, *enquêteur* for the king at Bordeaux, whose job it was to extract incriminating statements from prisoners such as Georges, also appeared at the *Grands Jours* of 1456.⁵ He brought a charge of treason against one Pierre Rebouil, who, he claimed, had taken an oath to the English in October 1452. The charge was rebutted by Rebouil's advocate, who alleged that Rebouil had on the contrary been taken by the English and imprisoned. He had been put in irons and tortured: 'lui mettoit-on les eufz chauds soubz les escelles'.⁶ After threatening to drown him, the English had released him on payment of a ransom. As long as such charges were being made there was little hope for the establishment of social peace in the duchy. Treason trials and interrogations such as the one printed below bred an outbreak of allegations redolent of a witch-hunt.⁷ But the presence of the disaffected, such as Georges and his fellow-brigands, could not be tolerated by the French administration. Without his confessions, particularly those relating to the activities of Pierre de Montferrand, the administration itself could not have been securely established in the duchy.

That Bernard Georges's confessions gave rise to further action is confirmed by two subsequent events. In July 1454, five months after the interrogation, Pierre de Montferrand was executed at Poitiers.⁸ He had long been the ringleader of conspiracies against the French. Secondly, on 25 February 1454, a certificate was issued by Théaude de Valpergue, François du Volier, and Pierre Arnault, *commis* as controller of Bordeaux.⁹

¹ See P. Marchegay, 'La rançon d'Olivier de Coëtivy, seigneur de Taillebourg, sénéchal de Guyenne, 1451-77', *Bibl. Ec. Chartes*, xxxviii (1877), 9-10.

² Dupont-Ferrier, iii. 442; *A.H.G.*, ix. 70, 90, 317.

³ Dupont-Ferrier, iii. 447; *A.H.G.*, ix. 92, 280.

⁴ Dupont-Ferrier, iii. 440; B.N., *pièces originales*, Bragier no. 3; *A.H.G.*, ix. 377, 489.

⁵ *A.H.G.*, ix. 84-9.

⁶ *Ibid.*, pp. 87-8. 'They put hot eggs under his armpits.'

⁷ For the efforts made, particularly by the Parlement of Paris, to 'efface the memory of discords born of civil war and foreign occupation' after 1450 see A. Bossuat, 'Le rétablissement de la paix sociale sous le règne de Charles VII', *Le Moyen Age*, ix (1954), 137-61.

⁸ See H. Ribadieu, *Histoire de la conquête de la Guyenne par les Français* (Bordeaux, 1866), pp. 377-83.

⁹ B.N., MS. fr. 26082 no. 6649.

This stated that fifteen men at arms had been sent to find brigands in the Entre-deux-Mers. This was the area in which Bernard Georges's interrogators were especially interested.¹ The search took twelve days, but was not fruitless. A carpenter was accordingly paid for having made the wooden scaffold on which one of the brigands was executed.² The security of the French administration, as well as public order in the duchy, was gradually being established.

M. G. A. VALE

Bibliothèque Nationale, Paris, MS. fr. 6963 fos. 26r-29r

The interrogation of Bernard Georges at Bordeaux, February 1454.

[fo. 26r] Lan de grace mil cccc cinquante et trois,³ le premier jour du mois de Fevrier, en la presence de nous Jehan de Filz, licencié en loix, lieutenant de noble et puissant seigneur messire Theaulde de Valpargue, chevalier, conseiller et chambellan du Roy nostre sire, son bailly de Mascon, seneschal de Lyon, et commis par ledit seigneur au gouvernement de la seneschaucie de Guyenne, appelez avec nous maistre Francois du Volier aussi licencié en loix, substitut du procureur du Roy nostredit sire en ladite seneschaucie, Guillaume de Blays, prevost de Lombriere, Jehan Bragier, excuteur et garde des scel et contrescel de la ville de Bourdeaux, Aymery Rabeau, enquesteur pour ledit seigneur audit lieu, et plusieurs autres, a este oy et examine Bernard Georges en la forme et maniere qui sensuit.

Bernard Georges, natif de la parroisse St Michel de la ville de Bourdeaux, filz de Helyes Georges, a present detenu prisonnier ou chastel de Lombriere, aage de quarante ans ou environ, dit, cognoist et confesse, luy estant es gehynes et tortures, que depuis le temps de sa jeunesse et mesmement des le temps de sa cognoissance il a este tousjours officier et sergent du mayre de ladite ville de Bourdeaux, et en iceluy office sest gouverne au mieulx de son povoir, et tousjours a este officier jusque a la derreniere entree faicte par le Roy en ladite ville ou par ses officiers, a laquelle entree il qui confesse sen ala hors de ladite ville de Bourdeaux et par le commandement du seigneur de Rozan,⁴ le quel lenvoya au lieu de Puyjoulz,⁵ auquel lieu il a demoure seze sepmaines ou environ, et illec servoit ledit seigneur de Rozan destre cuisinier et boulengier. Et dit quil sen estoit ale audit lieu de Puyjoulz pource quil ne vouloit estre francois et se doubtoit destre prins pource que a la venue de Thalebot et des Anglois il fut en la compaignie de bien trois cen ou plus pour rompre la porte par laquelle lesdits Anglois entrerent en ladite ville de Bourdeaux. Et est bien recors que a icelle rompre estoient les personnes qui sensuyvent, cestassavoir Doat, Godart, Chevic, Tadey, Pey de Coureye, Lort, Burre, Guillem de Mons, Estienne le Bayonnois, Filladeres, et pareillement y estoit Merlannes, tous parroissiens et⁶ demourans en ladite parroisse Saint Michel de Bourdeaux. Apres [fo. 26v] lentree desquelx Anglois luy qui confesse print a prisonniers trois bretons des noms desquelx a present ne

¹ See below, B.N., MS. fr. 6963 fos. 27v and 28r.

² B.N., MS. fr. 26082 no. 6649: payment of 7 livres 12 sous tournois to 'ung charpentier pour avoir fait ung chaffault de bois pour executer ung diceulx brigands'.

³ That is, 1453/4.

⁴ Rauzan, *dép.* Gironde, *arr.* Libourne, *cant.* Pujols.

⁵ Pujols, *dép.* Gironde, *arr.* Libourne.

⁶ *t* deleted, a false start. For the identification of some of these names see my article cited above, p. 78, n. 1.

se recorde, et leur fit paier, cestassavoir a lun xv frans, a lautre dix et a lautre cinq frans, et pour ses causes luy qui confesse sen estoit ale hors de ladicte ville et ny avoit entre jusques a mercredi derrein passe quil y estoit venu pour savoir des nouvelles de larmee Dangleterre pour les rapporter et faire assavoir au soudic¹ lequel luy avoit mande ainsi le faire par ung sien serviteur nomme Janicot. Dit plus que incontinant quil fut arrive en ladicte ville de Bourdeaux, il trouva en icelle ledit Janicot, lequel luy dist quil avoit apporte lectres dudit soudic adrecans a Jehan Dalhaire, et dit que icelles ilz luy porterent, et fut en la compagnie dudit Janicot et icelles receues par ledit Dalhaire il leur dist que il leur baildroit autres lectres pour porter audit soudic. Mais quelles devoient contenir riens ne scet, et tantost ampres luy qui confesse fut prins et amenne prisonnier es prisons deceans.

Interrogie de reschief pour quoy il ne vouloit plus demourer a Bourdeaux, dit comme dessus, et en oultre pource quil avoit eu debat avec ung chappellain breton nomme messire Pierre, auquel autrefois il avoit donne ung cop de dague, et aussi avoit peur destre accuse de la mort dun autre chappellain que luy, le filz de Mennot le Barbey, et ung autre nomme Caboche, a present demourans a Bregerac,² et ung autre appelle Beaucamp, huit ans a ou environ, avoient tue et occis.

Emquis sil a point fait dautres meurtres et robbices en ceste dicte ville de Bourdeaux, dit que quant les Anglois entrerent en ladicte ville de Bourdeaux,³ il qui confesse fut en la compagnie de plusieurs Anglois et autres a tuer et occire ung nomme Yvonne (. . .) Breton, lors sergent du Roy en la seneschaucie de Guienne, le quel fut par eulx tue et occis pource quil estoit francois. Et aussi dit quil fut a piller et robber ung chappellain nomme messire Pierre Breton de deux tasses dargent et dun lit de plume.

[fo. 27r] Interrogie en oultre sil estoit point du conseil et entreprinse de mettre lesdits Anglois en ladicte ville et en quel lieu ledit conseil se faisoit, dit que ledit conseil se faisoit a la Salniere,⁴ et y fut luy qui confesse ung jour duquel il nest recors, et illec vit ledit soudic, Merlanes, Giron de la Barriere et autres plusieurs, lesquels a present il ne scet nommer et illec fut entrepris que ledit Merlanes et autres jusques au nombre de trois cens ou environ iroient rompre ladicte porte et mettroient lesdits Anglois dedans ladicte ville par icelle, et ainsi fut fait comme par eulx fut conclut.

Emquis plus si audit conseil y avoit point des bourgeois de ladicte ville, dit que non, au moins quil les y apparceust fors ceulx que dessus il a nomme. Interrogie sil scet point que nulz autres desdits bourgeois sceussent point ladicte entreprinse, dit que non, mais bien dit que le soubzmaire et Thomelin Gassyes distrent a luy qui confesse quil alast mettre en ladicte ville ledit Merlanes, lequel estoit hors de ladicte ville, et luy fut commande a lostel de larchevesque par les dessusdits le venrredi au soir, et le samedi, qui fut le landemain, lesdits Anglois entrerent en ladicte ville par la porte de Bessac,⁵ laquelle fut rompue par les dessusdits.

¹Pierre de Montferrand, *soudan* or *souldic* of La Trau. See Archives Nationales, Paris, JJ. 182, no. 101 for a reference to Pierre de Montferrand, 'dit le souldic de Latrau' (7 May 1454).

²Bregerac, *dép.* Gironde.

³23 Oct. 1452.

⁴For the 'porta' and 'fossats de las Salineyras' at Bordeaux see L. Drouyn, *Bordeaux vers 1450* (Bordeaux, 1874), pp. 38-40.

⁵For the 'porta et tor de Bayssac' see *ibid.*, pp. 101-2. The site of the gate is now marked by the present rue de Beyssac in the parish of St. Michel.

Interrogie plus ledit qui confesse si durant le temps de seze sepmainz quil a demoure audit lieu de Puyjoulz sil a point este en brigandaige parmy les boys avec autres du pays Dentre deux mars, dit quil a este par plusieurs foiz et intervalles par les boys dentre Puyjoulz et Genissac¹ pour destrousser et desrober gens saucuns en trouvoit, et estoient avec luy le filz de la Cabre, le Camus, et ung autre nomme Jehannin, et durant ce quilz estoient en brigandaige ilz destrousserent ung marchant, auquel ilz ousterent cinq frans ou environ entre la Mothe de Saint Peschant² et Castillon.³ Et dit en oultre que a une autre foiz ilz tuerent et occirent ung homme entre Montravel⁴ et Sainte Foy,⁵ lequel avoit quatre ou cinq frans en sa bourse, et luy donna ledit Camus dune javelyne par les coustes. Dit sur ce emquis que luy et sesdits compaignons entre Montravel et Sainte Foy a une autre ff(oiz) tuerent et occirent deux marchans de [fo. 27v] porceaux, lesquelz avoient dix frans ou environ, et leur donna luy qui confesse dune javelyne parmy les coustes, et ledit Camus les paracheva de tuer et leur coppa les gorges.

Emquis silz aloient de pie ou de cheval, dit que il fut par deux foiz a cheval, et prenoit le cheval du seigneur de Rozan.

Requis si ledit seigneur de Rozan et le cappitaine de Puyjoulz savoient point quil alast en brigandaige, dit quilz nen savoient riens, et ne sen apparevoyent point pource quil ne demouroit que ung jour ou une nuyt a soy rendre a Puyjoulz, et leur faisoit a croire quil aloit a Saint Pierre du Castel⁶ et ailleurs a ses affaires.

Interrogie oultre si son entencion estoit de longement demourer audit lieu de Puyjoulz, dit que non, pource quil estoit delibere de tirer vers Bayonne en la compaignie dudit soudic, qui est de present a Grantmont,⁷ lequel soudic avec ses alyez qui sont bien quatre ou cinq mil brigans devoit entrer dedans Bayonne par ung couste nomme le bourg de Pavacat, ainsi que ledit Janicot luy avoit dit et rapporte, pour laquelle cause il y vouloit aler. Emquis pour quoy il ne sen est ale en Angleterre puis quil ne vouloit estre francois, dit quil ne vouloit point y aler pource quil ne saroit boyre godalle.

Emquis touch(ant) une clef qui a este trouvee en sa maison, laquelle luy a este monstree et exhibee, et icelle a recogneue, quil en faisoit, dit que cestoit la clef de la porte Seguynot, et que dicelle paravant quelle fust muree il la par plusieurs foiz ouverte, mais dit luy qui confesse quelle fut muree deux ans a ou environ.

Requis si ou pais Dentre deux mars y a grant quantite de brigans, dit quilz se sont bien trouvez ensemble jusques au nombre de vingt ou de xxx¹⁶ et leur principal reffuge et retraict estoit a Curton⁸ et a Saint Quentin⁹ au [fo. 28r] lieu ou estoit le vin a vendre. Interrogie si le tavernier ou taverniers desdits lieux savoient riens de leurs brigandages, dit que non. Emquis qui sont les noms desdits brigans, dit que cest ung nomme Arnault de Romeffort demourant en la Rue du Boys, Perrinot du Bosc de Saint Michel, Guillemot le Gabarrier demourant en la carriere de

¹ Génissac, *dép.* Gironde, *arr.* Libourne, *cant.* Branne.

² Lamothe-St. Paixent, *dép.* Dordogne, *arr.* Bergerac, *cant.* Vélines, *com.* La-Mothe-Montravel.

³ Castillon-la-Bataille, *dép.* Gironde, *arr.* Libourne.

⁴ La-Mothe-Montravel, *dép.* Dordogne, *arr.* Bergerac, *cant.* Vélines.

⁵ Sainte-Foy-la-Grande, *dép.* Gironde, *arr.* Libourne.

⁶ St-Pey-de-Castets, *dép.* Gironde, *arr.* Libourne, *cant.* Pujols.

⁷ (?) Gramont, *dép.* Basses-Pyrénées, *arr.* Mauléon.

⁸ Curton, now Tizac-de-Curton, *dép.* Gironde, *arr.* Libourne, *cant.* Branne.

⁹ St-Quentin-de-Baron, *dép.* Gironde, *arr.* Libourne, *cant.* Branne.

Sainte Croix, lesquelx sont en ladicte ville de Bourdeaux ou a pescher du poisson, ainsi quil luy semble.

Le ^{iiiij}^{me} jour de Fevrier, par nous lieutenant susdit, appelez avec nous lesdits procureur du Roy, prevost, enquesteur, et autres pluseurs, ledit Bernard Georges, de sa bonne et liberale volunte, luy estant hors de tous tourmens de gehynes et tortures, sans aucune contraincte de nully, dist et cogneut toutes et chacunes les choses cydevantdictes et escriptes par luy avoir este confessees, et icelles en continuant a sadicte confession et depposicion a recogneues de reschief estre vrayes.

Le ^{vj}^{me} jour dudit moys, lan que dessus, par nous ledit lieutenant, appelez avec nous lesdits procureur du Roy, prevost de Lombriere, Jehan Bragier, excuteur, etc, et autres pluseurs, ledit Bernard Georges estant hors des tourmens dessusdictes, en continuant et perseverant a sesdictes confessions et deppositions, recogneut et confessa de reschief lesdictes choses par luy confessees, et ainsi que cy devant elles sont escriptes estre vrayes sans icelles ne aucune partie delles revoquer.

Le ^{xv}^{me} jour dudit moys de Fevrier, par nous lieutenant susdit, appelez avec nous lesdits procureur du Roy, excuteur, contreroleur et enquesteur, et autres pluseurs, ledit Bernard Georges a recogneues et aprouvees lesdictes choses par luy confesses estre vrayes.

Et avec ce a dit, confesse et deppose en la presence du filz de ladicte Cabre, a present detenu [*fo. 28v*] prisonnier es prisons deceans, a ce abouchez en leurs personnes, que lassemblee de luy et de sesdits compaignons a este faicte par luy, et que a tous les maux dont cy devant a deppouse touchans fait de brigandage ladicte Cabre a este en sa compaignie.

Interrogie sur ce que quant il departit de ladicte Cabre de brigandaige, il luy deist que deux de ses meilleurs amis de ladicte ville de Bourdeaux lavoient mande, et quil avoit esperance quilz seroient ung jour tous riches, ainsi que ladicte Cabre a dit par sa confession.

Dit luy qui confesse que ceulx qui le manderent furent Jehan Dalhaire et Jehan des Bacx. Et dit quil disoit lesdictes parolles a ladicte Cabre, en entencion que ledit soudic avec ses alyez, desquelx il devoit estre, entrassent en ladicte ville de Bourdeaux ou ailleurs.

Requis sil scet point que ledit Dalhaire ait aucuns biens dudit soudic, dit que a son advis il nen na point, mais bien dit que si aucun en a en ladicte ville, ung nomme frere François de lordre des freres menneurs les a.

Emquis en oultre pour quoy le seigneur de Rozan envoya luy qui deppose audit lieu de Puyjoulz sans faire le serement, dit que riens nen scet, si non pource quil estoit son serviteur. Interrogie par quantes journees il demoura en ladicte ville de Bourdeaux apres lentree des francois, dit quil y demoura des le jour de ladicte entree jusques au mardy quil sen ala audit lieu de Puyjoulz.

Le ^{xxiiij}^{me} jour dudit mois de Fevrier, lan susdit mil ^{liij}^e ^{liij}^e par nous ledit lieutenant, presens et appelez avec nous ledit procureur du Roy, m(aistr)e Pierre Raphael,¹ Aymeri Rabeau, enquesteur, et autres pluseurs, ledit Bernard Georges estant hors et separe de tous tourmens de gehynes, a recogneu les confessions et deppositions par luy dessus faictes estre vrayes.

¹ Advocate, and lieutenant of the seneschal of Guyenne and of the *prévôt des maréchaux* at Bordeaux between Sept. 1456 and Oct. 1459. See Dupont-Ferrier, iii. 441 and *A.H.G.*, ix. 294, 545. For him as 'soy disant lieutenant' of the *prévôt* see *A.H.G.*, ix. 32 (17 Sept. 1456).

[fo. 29r] Emquis oultre pour quelle cause paravant ledit jourduy il avoit revoque et denye lesdiz meurtres par luy faiz en brigandaige, dit que ce avoit este pour alonger sa vie, et quil se doubtoit de mourir.

Interrogie par serement si de ce faire il avoit point este advise de nully, dit par son serement que non, et que de luy mesmes lavoit fait. Et plus autre chose ne dit ne confesse, sur tout dilige(m)ment emquis, oy et examine.

(Holograph endorsement:)

J. de Filz, lieutenant
F. du Volier, procureur substitut
Ay(meri) Rabeau, enquesteur
J. Bragier

[fo. 29v] Proces apporte de Bordeaux

A Confession of the Family of Love, 1580

ON 7 NOVEMBER 1580, the privy council ordered '— Seale and Mathewe —', yeomen of the guard, to be imprisoned in the Marshalsea for refusing to subscribe to 'certain erroneous and false articles gathered out of the books of one H.N.'.¹ H.N. was Henry Niclaes, a Dutchman said to be the founder of the Family of Love.² On 30 November 'Thomas Seale' was ordered kept close prisoner in the Marshalsea by the council, for certain 'lewde and unreverent speeches of the Councell, tending to charge them with injustice in the punishing of certain persones whom they had committed for their heresies and opinions, being of the Secte called the Familie of Love'.³ There is no further mention of the case in the privy council documents.

Among the Harley manuscripts at the British Museum is a confession, undated, which appears to relate to this case. The decrees of the council and the confession, which is printed below, disagree as to the names and number of the arrested guardsmen. The decree of 7 November mentions two men, Seale and another whose first name was Matthew. However, the title of the confession seems to make sense only if Sele, Ely and Mathew are taken to be three distinct persons. Possibly the council was misinformed. The confession, which is unsigned, is written in an unusual and difficult hand, not well formed, and this combined with the use of the first person in the third item suggests that it was actually penned by one of the guardsmen. If this was the case, then the recent judgment of Julia G. Ebel that the guards were exonerated of the charges seems unwarranted.⁴ The decree of

¹ *Acts of the Privy Council*, xii. 231.

² See G. H. Williams, *The Radical Reformation* (Philadelphia, 1962), pp. 477–81, and Julia G. Ebel, 'The Family of Love: sources of its history in England', *Huntington Libr. Quart.*, xxx (1966–7), 331–43.

³ *Acts of the P.C.*, xii. 269.

⁴ Ebel, *ubi supra*, p. 338.

30 November against Seale also suggests his overt sympathy for the Familists.

The Family of Love is believed to have existed in England as early as 1550.¹ By 1574 traces of it were found in East Anglia, Essex and Surrey.² By 1579 it was reported to have 1,000 adherents, especially in Norfolk and Suffolk.³ A standard form of recantation for the sect was issued in 1580, but it was longer than the confession below and included many more items.⁴ No confession can be presumed to be a definitive statement of Familist beliefs, since the members of the sect had mystical tendencies which sometimes led to highly idiosyncratic doctrines. They were also admittedly willing to lie to the authorities.⁵ Two other confessions of the Family from the Elizabethan period are known, one in Surrey in 1561,⁶ the other at Balsham, Cambridgeshire, in 1575.⁷

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*British Museum, Harley MS. 537 fo. 110*⁸

The confesion of sele ely and mathew/beinge of the famely of Love &/of her maiesties gard/They must be deifyed in god & god in them/(T)he Jugement & resurexion is past already/We are Eylewmynatid⁹ that is to saye of the/(? resur)-exsion & restoryd to the perfection that Adam/(?had) before his fale/(Th)e Literall sence of the scrypture they do not regard/(What)so ever they do is no syne/(Th)ey ought not to suffer their bodyes to be executed bycause/(they are) the temples of the holly gost/(The)y may lawfully deny religion of faithe before any/(i)f ther be any cause of persecusion/(The)r ought not to be any maiestarts¹⁰ amongst crystyans/

Shaftesbury's Lists of the Lay Peers and Members of the Commons, 1677-8

BETWEEN February 1677 and February 1678 the earl of Shaftesbury was imprisoned in the Tower by order of the house of lords for maintaining that, after a prorogation of over twelve months, the Cavalier Parliament no

¹Williams, p. 789.

²*Ibid.*, pp. 482, 780, 789; R. M. Jones, *Studies in Mystical Religion* (1919), p. 441.

³J. Strype, *Annals of the Reformation and Establishment of Religion* (Oxford, 1824), II. ii. 282; II. i. 562-3.

⁴D. Wilkins, *Concilia Magnae Britanniae et Hiberniae* (1737), iv. 296-7.

⁵See below: 'They may lawfully deny religion of faithe'.

⁶J. Rogers, *The Displaying of an Horrible Sect* (London, 1579), cited in Jones, pp. 441-2.

⁷Strype, II. i. 552-62.

⁸The left edge of the document is missing, and words and letters which are evident from the context have been supplied in parentheses.

⁹Illuminated?

¹⁰Magistrates?

longer had any legal existence.¹ During his imprisonment, his restless mind had to find some occupation; and in May 1677, when hopes of an early release were beginning to fade, he began to spend some of his enforced leisure in drawing up a book containing the names of people active in the political and military life of his day.² There were lists of the Dorset gentry; of the cardinals of the Roman Catholic Church; of the army officers and ministers of Sweden, France, Germany and the United Provinces; and of the bishoprics and deaneries of England, with their annual value. Of most value to the historian, however, are the lists of the lay peers and members of the house of commons, accompanied by Shaftesbury's estimate of their political reliability from his own point of view. These may be compared with other lists, including those drawn up for Shaftesbury's rival Danby and printed in Professor Andrew Browning's biography of that statesman;³ and the comparison helps one to understand the stage which political groupings had reached in the concluding months of the Cavalier Parliament.

The names of the lay peers and M.P.s were written down in the book by one of Shaftesbury's clerks, and the earl later added amendments and made marginal annotations in his own hand. His system was to prefix the names with the letter w (for worthy) or the letter v (for vile) according to the political views of the persons listed, with the additional refinement that these letters could be doubled or trebled to indicate degrees of worthiness or vileness.

If the list of lay peers is examined, it can be seen that 12 were listed as www, 16 as ww, and 48 as w, making a total of 76 whom Shaftesbury regarded as sympathetic to himself, to varying degrees; while 29 were listed as vvv, 17 as vv, and 16 as v, totalling 62 in all, and 21 were marked as 'under age' or left unclassified.⁴ To 20 names the letter P, for Papist, was added at a later date.

These figures, amounting to a majority of 'worthy' peers, are completely at variance with the state of opinion in the house of lords during the Exclusion crisis, when Shaftesbury could never count on more than about 30 fellow-voters. But when he annotated the names in 1677, he was most urgently concerned with securing his own release from the Tower, and on

¹For the circumstances of Shaftesbury's imprisonment, see my *The First Earl of Shaftesbury* (Oxford, 1968), pp. 412-40.

²The book is preserved in the muniment room at St. Giles House, Wimborne St. Giles, and I am indebted to the present earl of Shaftesbury for permission to print these lists from it.

³A. Browning, *Thomas Osborne, Earl of Danby* (1951), vol. iii. Cf. also E. S. de Beer, 'Members of the court party, 1670-8', *ante*, xi (1933), 1-23; and the contemporary pamphlet *A Seasonable Argument*, most easily accessible in A. Browning, *English Historical Documents, 1660-1714* (1953), pp. 237-49. For lists of the next parliament of 1679, see J. R. Jones, 'Shaftesbury's "Worthy Men"', *ante*, xxx (1957), 232-41; A. Browning and D. Milne, 'An Exclusion division list', *ante*, xxiii (1950), 205-25; K. Feiling, *A History of the Tory Party, 1640-1714* (1924), pp. 494-5. For the Lords, cf. also K. H. D. Haley, 'A list of peers, c. May 1687', *Eng. Hist. Rev.*, lxi (1954), 302-6 and D. H. Hosford, 'The peerage and the Test Act: a list, c. November 1687', *ante*, xlii (1969), 116-20.

⁴These figures include a few later modifications.

this he might hope for support from peers who, while not sharing his general political outlook, felt that he had expiated his offence, or disliked a precedent for committing a peer to custody merely for expressing opinions which were resented by the majority of the House. From this point of view Catholic peers might feel in an exposed position, and some of them were included in the large number of peers rather hesitantly described as 'worthy' with a single w. And Shaftesbury's optimism was justified to the extent that Danby was unable to prevent his release by order of the house of lords, in return for an apology, in February 1678. Thereafter, he continued to bring the list of names up to date to take account of deaths and one or two additions to the House, to the time of the earl of Nottingham's death in April 1681; but he rarely revised his classification. Thus Monmouth continued to be classified as vvv, as in the days when he had been a courtier and a likely commander of the troops which were raised by the king, and regarded very suspiciously by the opposition, in the winter of 1677-8. Conversely Halifax remained as www, in spite of his quarrel with Shaftesbury and his opposition to Exclusion.

The members of the house of commons were presumably also classified with a view to the session which eventually began on 28 January 1678, but the classification cannot be related to any single issue, and may be taken as having a more general significance than the list of peers. This list too was kept up to date until the very last days of the Cavalier Parliament; it includes, for instance, the election of Thomas Lucy on 28 December 1678. Some of the alterations evidently reflect inaccurate rumours which reached Shaftesbury about the health of members, as for instance at Canterbury. It is also noticeable that changes of classification are much more numerous here than in the list of peers. In its final form the list includes 55 members described as www, 79 as ww, and 109 as w, or 243 of different degrees of worthiness; 121 described as vvv, 107 as vv, and 38 as v, or 266 of different degrees of vileness. Four members are unclassified, or the classification is unclear.¹ In addition, 103 members were later numbered from 1 to 104 (number 38 being accidentally passed over) and 52 members have a cross following their names; the former group consists almost entirely but not invariably of strong 'Court' members, and the latter of equally firm 'Country' members.

When compared with other known lists relating to the members of the house of commons in the Cavalier Parliament, this list is unique in two respects. First, it is not simply a list of supporters of the Court, but an attempt to classify every member of the House, and thus gives information about the political sympathies of many individual M.P.s which is not available from any other source. Secondly, it is an attempt to grade the dependability of members' support for one side of the House or the other. Whereas a mere list of Court supporters might make no distinction between the committed member whose vote could always be depended on and the vague sympathiser, the system of assigning single, double and treble

¹ Thomas Harlackenden, Thomas Preston, Augustine Briggs and Ralph Montagu.

letters endeavours to assess the firmness and reliability of members' convictions. A word of caution is needed here, however. The award of only a single v or w may indicate different kinds of unreliability. It may signify a member whose sympathies incline a little more to one side than the other, but who treats each issue on its merits and may vary in his voting accordingly; it may indicate the sort of silent and inconspicuous member, to be found in all assemblies of hundreds of people, whose attitude is difficult to define from lack of information; or it may refer to a man whose interest or convictions are not strong enough to induce him to be present to be counted when the division is taken. Whenever it came to a vote, there were always many absentees. In the largest recorded vote in 1678 (and, incidentally, in the whole reign) there were 371 members who took part and as many as 142 who did not. The average number of members voting between January and May 1678 was 251; between May and July it was 248; and between October and December 1678, in all the excitement of the Popish Plot, it was still only 264.¹ Even on an important issue between a quarter and a half of the House would be absent. It is impossible to tell whether the absentees were away on their estates, in spite of occasional attempts by the House to compel members to attend; whether they were ill; whether they were in London, but engaged in other duties or pleasures; or whether, from indifference, indecision or caution they left the House before the vote was taken. And obviously one cannot tell how far the absentees in one division coincided with those in another division on a different issue a month later.

The likelihood of a member being in his place in the House when wanted was, therefore, one factor which Shaftesbury had to take into account when he made his classification. It is also true that the period between May 1677 and the end of the Cavalier Parliament was a time when many members might find it difficult to reach a consistent political attitude, and might be 'unreliable' from a party point of view for that reason. Some members might reasonably feel differently about Danby's domestic policies, about the marriage of William and Mary and the possibility of war with France in the confused international situation early in 1678, and about the revelations of Titus Oates and Ralph Montagu at the end of that year; a man might not wish to vote consistently either for the government or for the opposition on all these issues. In these circumstances it was at once peculiarly urgent and peculiarly difficult to try to assess the strength of members' loyalties; and it is not surprising that on a considerable number of occasions Shaftesbury changed his original classification.

Nevertheless Shaftesbury's picture of the House was one in which a third of the members (176) could be labelled either vvv or www and could be regarded as reasonably committed either to 'Court' or 'Country'; rather more than a third (186) could be labelled vv or ww and regarded as moderately reliable; and rather less than a third (147) could be labelled

¹ Browning, *English Historical Documents*, p. 956. It is possible that recent controversies about 'party' in the reigns of William III and Anne have not sufficiently taken into account the number of absentees.

with only a single letter. Further, Shaftesbury's view was that the 'Court' party had many more committed voters than the 'Country' (121 vvv against only 55 www). There were also, in his opinion, 107 moderately 'vile' members (vv) as against 79 moderately 'worthy' (ww). In the third category, on the other hand, there were 109 members with a single w, against 38 with a single v, but even if these played their full part, they would not provide a majority of 'worthy' members. Shaftesbury was being too pessimistic here, in that in the divisions the Court was never within reach of the majorities which these figures would have implied; but plainly he thought that the composition of the House was unfavourable to his long-term aims, and would not rest until a new house of commons had been elected.

Shaftesbury's view of the members of the Commons may be compared with three other lists relating to the session of 1678. The first of these was the famous pamphlet *A Seasonable Argument*, which purported to give 'a list of the principal labourers in the great design of Popery and arbitrary power' and named 215 members who were particularly obnoxious to the critic of the Court who compiled it.¹ Secondly, there was a list of 219 names of Court supporters, compiled from the Court point of view for the use of either Danby or Sir Joseph Williamson in about May 1678; and thirdly there was another opposition pamphlet, *A List of one Unanimous Club of Voters*, which was prepared after the dissolution of the Cavalier Parliament early in 1679, and contained the names of 198 Court members.²

Of the 121 members whom Shaftesbury put into category vvv, 84 appeared in all these other lists.³ This was the core of the 'Court party'. It was to suffer severely in the general election which was held early in 1679, when only 29 of the 84 were re-elected to the first Exclusion Parliament. But this group, reduced though it was, did its duty to Charles and to his brother James when the time came to vote on the Exclusion Bill. Of the 29, 23 voted against Exclusion; three had valid reasons for absence;⁴ in the case of one member, Sir Stephen Fox, the evidence is conflicting; two members were absent without any reason known to us; none deserted to the Exclusionist side.

Of the 107 members whom Shaftesbury put into category vv, 50 appeared in all three other lists of the Court party in 1678. This group too was sharply cut down at the general election early in 1679, only 22 of the 50 being re-elected. Of these 22, 11 later voted against Exclusion; nine were absent; in one case the evidence is conflicting; and one member only, William Leveson Gower, voted for Exclusion.

On the other hand the group of 55 members whom Shaftesbury labelled

¹ Above, p. 87, n. 3.

² These two lists are printed, in a combined form, by Browning, *Danby*, iii. 111-20. The names of 154 M.P.s appear in both lists.

³ I have included Henry O'Brien, who died before the last of them was compiled.

⁴ Sir John Robinson lay dying, Thomas Street was absent on circuit, and Pepys was in custody (though the list printed by Browning and Milne, above, p. 87, n. 3, records him as against the bill).

as *www* contains only one name, that of the solicitor-general, Sir Francis Winnington, which appears on any of the lists of Court supporters in 1678. Of the remaining 54, no less than 45 were re-elected to the first Exclusion Parliament¹—a much higher proportion than in the case of the corresponding Court group. Of these, 34 later voted for the Exclusion Bill; eight were absent; and three, William Lord Cavendish, Sir Thomas Clarges and Altham Vaughan, voted against it.

Of the group of 79 members whom Shaftesbury described as *ww*, six were to be found on one of the lists of Court supporters. Of the remaining 73, 48 were to be re-elected, and of these 28 later voted for Exclusion; two were absent for known and sufficient reasons;² 14 others were absent for unknown reasons; and four, Jonathan Rashleigh, Henry Powle, Sir Nicholas Pedley and Sir William Hickman, voted against the Bill.

The conclusion to be derived from these facts seems to be that in the concluding stages of the Cavalier house of commons each side possessed a nucleus of fairly clearly identifiable supporters amounting to about a quarter of the total membership: there were 134 members whom Shaftesbury labelled as *vvv* or *vv* and who appeared on all the contemporary lists of the Court party, and 127 members whom he labelled as *www* or *ww* and who appeared on none of the lists of the Court party. The remaining half of the House is much harder to classify. It included members who might be generally sympathetic to one side or the other, but whose attendance and votes were for various reasons much less consistent. A large majority of the more committed 'Country' members, but only a minority of the more committed 'Courtiers', were re-elected to the next parliament. When the time came to vote against Exclusion, only a handful of these committed 'party men' changed sides. A rather larger number abstained, and their abstention is not easy to interpret, partly because they included some men who came from counties like Shropshire, Staffordshire, Nottinghamshire and Oxfordshire, very few of whose members voted even though they included some strong partisans: some of these abstentions may have come about by agreement between opponents, rather than as the result of doubt.

Generally speaking, party leaders were able to rely on a solid nucleus of support, and their task was to strengthen the convictions and stiffen the determination of those who were only vaguely sympathetic to the point where they would appear regularly to be counted in divisions. In this they would be powerfully assisted by the events of the Exclusion crisis. When a man had once taken up his stand for or against Exclusion, he was heavily committed, and the royal remodellings of local commissions of the peace, deputy lieutenancies and municipal corporations which followed would deepen the cleavage.

¹Excluding Sir Francis Rolle, whose return was disputed without a decision being reached.

²William Gregory as Speaker was unable to vote, and Sir John Fagg had been given leave to go into the country to recover his health.

In the lists below, all alterations, additions and annotations have been shown, erasures being printed in *italic*. All are in Shaftesbury's hand unless otherwise indicated.

K. H. D. HALEY

May 1677

A Roll of the Peers of the Kingdom of England, according to their Birth and Creations

Dukes of the Royal Blood

James Duke of York	P
Rupert D of Cumberland	

Dukes

<i>Lumatich</i>	Thomas Howard Duke of Norfolk = dead. P	
	Henry his Brother succeeds. ¹ w	
under age	Francis Seymour, D: of Somerset	dead
w	George Villiers, D: of Bucks	
vvw ²	Christopher Monk, D: of Albemarle	
vvv	James Scot, D of Monmouth	
vvv	Henry Cavendish D: of Newcastle	
under age	Charles Lennox, D. of Richmond	
under age	Charles FitzRoy, D: of Southampton	
under age	Henry FitzRoy D: of Grafton	

Marquesses

ww	Charles Pawlet Marquess of Winchester
vv	Henry Somerset M: of Worcester
vvv	Henry Pierpoint M: of Dorchester

Earls

w	Aubrey de Vere Earl of Oxford	
under age	Charles Talbot E: of Salop [Shrewsbury]	under age P
ww	Anthony Grey E: of Kent	—
w	William Stanley E: of Derby	
w	John Manners E: of Rutland	dead
vvv	Theophilus Hastings E: of Huntingdon	—
w	William Russell E: of Bedford	—
w	Philip Herbert E: of Pembroke	
w	Edward Clinton E: of Lincoln	
v	Charles Howard E: of Nottingham	dead
w	James Howard E: of Suffolk	—
w	Richard Sackville E: of Dorset	dead—Charles
www	James Cecil E: of Sarum [Salisbury]	—
ww	John Cecil E: of Exeter	dead—John
w	John Egerton E: of Bridgwater	
ww	Robert Sidney E: of Leicester	dead—Philip—
vvw ³	James Compton E: of Northampton	—
v ⁴	Edward Rich E: of Warwick	
w	William Cavendish E: of Devon[shire]	
v	William Fielding E: of Denbigh	
v	John Digby E: of Bristol	

¹ dead. Henry his Brother succeeds *interlineated in a different hand*.

² This could be an amended vvv.

³ This could originally have read vvv.

⁴ Apparently deleted.

www	Gilbert Holles E: of Clare	
www	Oliver St. John E: of Bolingbroke	
w	Charles Fane E: of Westmorland	
w	Robert Montagu E: of Manchester	
ww ¹	Charles Howard E: of Berks	dead P: Thomas
vvv	John Sheffield E: of Mulgrave	
v	William Ley E: of Marlborough	dead
	Thomas Savage E: Rivers	
vvv	Robert Bertie E: of Lindsey	
extinct w	John Carey E: of Dover	extinct
vvv	Henry Mordaunt E: of Peterborough	
w	Thomas Gray E: of Stamford	
vvv	Heneage Finch E: of Winchelsea	
w	Charles Dormer E: of Carnarvon	
v	Philip Stanhope E: of Chesterfield	
w	John Tufton E: of Thanet	
vv	James Weston E: of Portland	P
w	William Wentworth E: of Strafford	
vvv	Robert Spencer E: of Sunderland	
ww	Nicholas Leake E: of Scarsdale	
w	John Wilmot E: of Rochester	dead
vvv	Henry Jermyn E: of St. Albans	
ww	Edward Montagu E: of Sandwich	
vvv	James Butler E: of Brecknock	
w	Henry Hyde E: of Clarendon	
ww	Arthur Capel E: of Essex	
w	Robert Brudenell E: of Cardigan	P
ww	Arthur Annesley E: of Anglesey	
vvv	John Grenville E: of Bath	
vv ²	Charles Howard E: of Carlisle	
vv ²	William Craven E: of Craven	
ww ²	Robert Bruce E: of Aylesbury	
ww	Richard Boyle E: of Burlington	
vv	Henry Bennet E: of Arlington	
www	Anthony Ashley [Cooper] E: of Shaftesbury	
vvv	Henry Howard E: of Norwich Duke of Norfolk ³	
ww ⁴	William Herbert E: of Powis	P:
under age	Edward Henry Lee E: of Lichfield	
vvv	John Maitland E: of Guildford	
vvv	Thomas Osborne E: of Danby	
v	Thomas Lennard E: of Sussex	
under age	George Fitzroy E: of Northumberland	
Dorset ⁵ w	Charles Sackville E: of Middx:	
under age	Charles FitzCharles E: of Plymouth	
vv	Lewis de Duras, E: of Feversham	
under age	Charles Beauclerk E: of Burford	

Viscounts

under age	[blank] Devereux, Viscount Hereford	
w	Francis Browne Visc: Montagu	P.
w	William Fiennes Visc: Say and Seale	
vv	Edward Conway Visc: Conway	
vvv	Baptist Noel Visc: Campden	
ww ⁶	William Howard Visc: Stafford	P:

¹This could originally have read vvv.²The left hand letter is noticeably fainter than the other and may have been added later.³Duke of Norfolk in a different hand.⁴This seems originally to have read vv.⁵From 27 Aug. 1677, he combined the titles of earl of Dorset and earl of Middlesex.⁶Apparently originally vvv.

w	Thomas Bellasis Visc: Faulconberge
vv	Charles Mordaunt Visc: Mordaunt
www	George Savile Visc: Halifax
vv	Robert Paston Visc: Yarmouth
v	Francis Newport Visc: Newport

Barons

under age	George Neville, Lord Abergavenny	under age	P:
w	James Touchet Lord Audley	P:	
w	Charles West L: De la Warr		
vvv	George Berkeley L: Berkeley		
vvv	Thomas Parker L: Morley	P:	
xx		dead—under	
w under age	Charles Yelverton L: de Grey	age under age	w
v	Conyers Darcy L: Darcy		
www	Benjamin Mildmay L: FitzWalter	dead—under age—	
w	William Stourton L: Stourton	P:	
w	Henry Sandys L: Sandys		
ov	Thomas Windsor L: Windsor		
	Thomas Cromwell L: Cromwell		
w	Ralph Eure L: Eure		
www	Philip Wharton L: Wharton		
under age	John Willoughby L: Willoughby of Parham		
www	William Paget L: Paget	dead	
w	Dudley North L: North	dead—Charles	
ww	James Brydges L: Chandos		
v	James Bertie L: Norris of Rycote		
ww	William Petre L: Petre	P:	
under age	Digby Gerard L: Gerard: of Gerard's Bromley		
vvv	Henry Arundel L: Arundel of Wardour	P:	
vv	Christopher Roper L: Teynham	P:	
ww	Foulke Greville L: Brooke	dead	
v	Edward Montagu L: Montagu		
w	Ford Grey L: Grey of Wark		
w	John Robartes L: Robartes		
w	John Lovelace L: Lovelace		
v	John Pawlet L: Pawlet	dead—under age	
vvv	William Maynard L: Maynard		
w	George Coventry L: Coventry		
w	Thomas Howard L: Howard of Esc[rick]	dead	
www	Charles Mohun L: Mohun	dead—under age. ¹	
ww	Edward Henry ² Herbert L: Herbert of Cherb[ury]		
ww	Thomas Leigh L: Leigh		
vv	Christopher Hatton L: Hatton		
vvv	Richard Byron L: Byron	dead	
vvv	Richard Vaughan L: Vaughan		
vvv	Francis Carrington L: Carrington	P:	
vvv	William Widdrington L: Widdrington	P:	
vv	Edward Ward L: Ward		
vvv	Thomas Culpeper L: Culpeper		
v	Jacob Astley L: Astley		
vv	Charles Lucas L: Lucas		
vvv	John Bellasis L: Bellasis		
w	Edward Watson L: Rockingham		
v	Charles Gerard L: Gerard [of] Brandon		
under age	Gilbert Sutton L: Lexington	under age	
vv	Charles Kirkhoven L: Wotton of Wotton		
vvv	Marmaduke Langdale L: Langdale	P:	

¹ dead—under age in a different hand.² Henry written above.

vv	William Crofts L: Crofts	extinct
vvv	John Berkeley L: Berkeley of Stratton	dead—under age
ww	Denzil Holles L: Holles	
w	Charles Cornwallis L: Cornwallis	
www	George Booth L: Delamere	
www	Horatio Townshend L: Townshend	
www	John Crew, L: Crew	
vvv	John Frecheville L: Frecheville	
vvv	Richard Arundel L: Arundel of Trecice	
vv	Thomas Butler L: Butler of Moor Park	
under age	Hugh Clifford L: Clifford	under age
vv	Richard Butler Lord Butler of Weston	
ww	Charles North L: Grey of Rolleston	Ld North. ¹
vvv	Heneage Finch L: Finch of Daventry	
vvv	Robert Carey Lord Hunsdon	P: the nineteenth baron
vvv	Robert Shirley, Lord Ferrers of Chartley—called by writ to the place of the Lord Ferrers	
w	[blank] Howard Ld: Mowbray—called by writ to the place of the Ld: Mowbray. ²	P:

May 1677

Members of the House of Commons

Bedfordshire			Buckingham Town		
1 vv	Sir Humphrey Winch		vvv	Sir Richard Temple	
w	Sir John Napier		vvv	Sir William Smith	
Bedford Town			Chipping Wycombe		
x ww	Pawlet St John	x	vv w ³	Robert Sawyer	
ww	Sir William Beecher		w	Sir John Borlase	
Berkshire			Aylesbury		
2 w	Sir Richard Powle	dead	w	Sir Richard Ingoldsby	
w	Sir Humphrey Foster		w ⁴	Sir Thomas Lee	
New Windsor			Agmondesham		
3 vvv	Sir Thomas Higgons		w w	Sir William Drake	
www	Sir Francis Winnington		w ⁵	Sir Thomas Proby,	
Reading			Wendover		
4 vvv	Sir Thomas Dolman		www	Richard Hampden	x
5 vvv	Richard Aldworth		w	Thomas Wharton	x
Wallingford			Great Marlow		
vvv	Sir John Bennet		w	Peregrine Hoby	
ww	Robert Packer		vvv	Charles Cheyne	
Abingdon			Cambridgeshire		
ww	Sir John Stonehouse		8 vvv	Sir Thomas Chicheley	
			9 vv	Sir Thomas Hatton	
Buckinghamshire			University		
6 vv	Sir William Bowyer		vvv	Thomas Crouch	dead
7 vv	Sir William Terringham		10 vvv	Sir Charles Wheeler	

¹He succeeded his father as 5th Lord North on 24 June 1677.²This added to the list at a later date. The son of the duke of Norfolk, he was summoned to the Lords as Lord Mowbray in Jan. 1678.³Apparently originally vvv.⁴The letter remaining after several alterations.⁵Not very distinct.

- Cambridge Town**
 vv William Lord Allington
 w Roger Pepys
- Cheshire**
 11 vv Thomas Cholmondeley
 x v *Sir Foulk Lucy* dead
 —Mr. Booth—w:w:w
- Chester Town**
 vvv Robert Werden
 ww William Williams
- Cornwall**
 12 vvv Sir Jonathan Tre-
 lawny
 13 vv Sir John Coryton
- Launceston**
 w Sir Richard Edge-
 combe
 14 vv Sir Charles Herbert
 [Harbord]
- Liskeard**
 w *John Harris* dead—
 Sir Bouchier Wray
 vvv Bernard Grenville
- Lostwithiel**
 w Charles Smith
 w Sylvanus Titus
- Truro**
 x www Edward Boscawen x
 vvv John Arundel
- Bodmin**
 ww Sir John Carew
 w Hender Roberts
- Helston**
 vv Sidney Godolphin
 vvv Sir William Godol-
 phin
- Saltash**
 ww Francis Buller Junior
 ww John Buller
- Camelford**
 w Thomas Coventry
 vv Sir William Godol-
 phin
- West Looe**
 vvv John Trelawny
 vvv John Trelawny
- Grampound**
 vv Charles Trevanion
 ww John Tanner
- East Looe**
 vv Henry Seymour
 vvv Charles Osborne
- Tregoney**
 www Hugh Boscawen x
 w Thomas Herle
- Penryn**
 vv Sir Robert Southwell
 w John Birch
- Bossiney**
 vvv Robert Roberts
 w Francis Roberts
- St. Ives**
 w Jacob Praed
 w Edward Nosworthy
- Fowey**
 ww Jonathan Rashleigh
 ww John Rashleigh
- St. Germans**
 ww John Eliot
 ww Edward Eliot
- Michael**
 vvv Francis Lord Hawley
 ww Humphrey Borlase
- Newport**
 w *John Speccott—dead—*
 Mr. Mannington
 ww Nicholas Morris
- St. Mawes**
 vvv Arthur Spry
 vvv Sir Joseph Tredenham
- Callington**
 vvv Sir Cyril Wyche
 ww Samuel Rolle
- Cumberland**
 ww Sir George Fletcher
 vv Sir John Lowther
- Carlisle**
 vvv Sir Philip Howard
 vvv Sir Christopher Mus-
 grave
- Cockermouth**
 w Sir Wilfred Lawson
 www Sir Richard Graham

Derbyshire

www William Lord Caven- dish x
w
www William Sacheverell www

Derby Town

ww Anchitel Grey
www John Dalton

Devonshire

w Sir John Rolle
15 vv Sir Copleston Bampf- field

Exeter City

vv Sir James Smith
vv Thomas Walker

Totnes

vv Sir Edward Seymour
vv Sir Thomas Berry

Plymouth

vv Sir Gilbert Talbot
v John Sparke

Barnstaple

w Nicholas Dennis
w John Bassett

Okehampton

w Sir Arthur Harris
w Henry Northleigh

Plympton

vv Sir Nicholas Slanning
www George Treby x

Honiton

vv Sir Courtney Poole
vv Peter Prideaux

Tavistock

www Sir Francis Drake x
www William Russell x

Ashburton

v Rawlin Mallack
vv William Stawell

Dartmouth

w William Harbord
w Josiah Child

Beeralston

w Sir John Maynard
ww Joseph Maynard

Tiverton

16 vv Sir Henry Ford dead
vv
ww Samuel Foote

Dorsetshire

17 vv Sir John Strode vv
w Mr. Browne

Poole

www Sir John Morton
18 vv Thomas Strangeways

Dorchester

w John Churchill
w Jacob Gold

Lyme

19 vv Sir John Shaw
www Henry Henley x

Weymouth

20 vv Sir Winston Churchill
www Sir John Coventry

Melcombe

ww John Man
ww Anthony Lord Ashley x

Bridport

vv George Bowerman—
dead
vv Wadham Strangeways

Shaftesbury

w Henry Whitaker
www Tho. Bennett x

Wareham

w George Pitt
w Robert Culliford

Corfe

w John Tregonwell
21 vv Edward Lord Latimer

Durham County

vv John Tempest
www Christopher Vane x

Durham City

v Sir Charles Nicholas¹
Cole
w Mr. Parkhurst

Essex

22 vv Banister Maynard
23 vv Sir John Bramston

¹ Nicholas *written above*.

Colchester
 w Sir Harbottle Grimston
 24 vvv Sir John Shaw

Malden
 25 vv Sir Richard Wiseman
 vv Sir William Wiseman

Harwich
 26 vvv Thomas King
 w Sir Capel Luchin

Gloucestershire
 w John Howe
 27 vvv Sir Baynham Throgmorton

Gloucester City
 vvv Henry Norwood
 www Serjeant Seyes x

Cirencester
 28 w John George
 ww Henry Powle

Tewkesbury
 w Sir Henry Capel
 w Sir Francis Russell

Herefordshire
 w Sir John Kirle
 29 vv Thomas Price

Hereford City
 w John Lord Scudamore
 vvv Herbert Westfaling

Leominster
 vv Reynold Graham
 vv Humphrey Cornwall

Weobley
 vvv Sir John Barnaby
 vvv *Sir Thomas Williams*—
 election voided
 ww Serjeant Gregory

Hertfordshire
 www William Hales
 30 vv Sir Richard Franklin

Hertford Town
 ww Sir Thomas Bye x
 31 w v Sir John Gore

St. Albans
 w Samuel Grimston
 32 v w Doctor Arris

Huntingdonshire
 ww Sir Nicholas Pedley x
 ww Robert Apreece

Huntingdon Town
 vvv Sir John Cotton
 vvv Sir Lionel Walden

Kent
 33 vvv Sir Thomas Peyton
 vvv Sir John Tufton

Canterbury
 vv *Sir Edward Masters*
 dead alive
 vv Thomas Hardress
 dead¹

Rochester
 34 vv Sir Francis Clerke
 w Richard Head

Maldstone
 ww Sir Robert Barnham vv
 ww Thomas Harlakenden

Queenborough
 vv James Herbert
 w Sir Edward Hales v

Lancashire
 vv Sir Roger Bradshaw
 Thomas Preston—
 dead

Lancaster
 vvv Richard Kirkby
 vv Richard Harrison

Preston
 vv Edward Rigby
 vv Sir John Otway

Newtown
 35 vv Richard Lord Gorges
 vv Richard Lee

Wigan
 36 vvv Charles Earl of Ancram
 37 vvv Sir Geoffrey Shakerley

Clitheroe
 39²vvv Sir John Heath
 vvv Sir Thomas Stringer

Liverpool
 v Sir Ralph Ashton
 v Richard Atherton

¹He did not in fact die until 1681.

²No number 38 is listed.

Leicestershire

vv John, Lord Roos
40 vv George Faunt

Leicester Town

41 vv Sir William Hartop
ww John Grey

Lincolnshire

ww George Viscount
Castleton
vv Sir Robert Carr

Lincoln City

ww Sir Thomas Meres
w Henry Monson

Boston

www Sir Philip Harcourt x
ww Sir Anthony Irby x

Grimaby

w Sir Christopher Wray
42 vv William Broxholme

Stamford

43 vvv Peregrine Bertie
44 vvv *Henry Noel* dead
Charles Bertie

Grantham

ww Sir John Newton
ww *Sir William Thorold*
dead
vv Sir Robert Markham

London

45 ww Sir John Frederick
46 ww Sir William Thompson
son v
www William Love x
47 ww John Jones v

Middlesex

48 vvv Sir Lancelot Lake
49 vvv Sir Thomas Allen

Westminster

50 vvv Sir Philip Warwick
51 vvv Sir Richard Everard

Monmouthshire

ww William Morgan
ww Sir Trevor Williams

Monmouth Town

v Lord Herbert of
Raglan

Norfolk

ww Sir Robert Kemp
www Sir John Hobart x

Norwich

vvv *Francis Corey* dead—
Ald: Briggs—
vvv [blank] *Jay* dead Mr.
Paston.

Lynn

vv Robert Coke—dead
52 vv Robert Wright

Yarmouth

v ww Sir William Coventry
vvv *Sir William Doyley*
dead
vv Sir Thomas Meadows

Thetford

vvv Sir Allen Apsley
vvv Sir Joseph Williamson

Castle Rising

vvv Samuel Pepys
w Sir John Trevor

Northamptonshire

ww *John Lord Burleigh* x An Earl
53 v w George Clarke
w Miles Fleetwood

Northampton Town

vvv Henry Lord O'Brien—
dead R: Moun:¹
v Sir William Farmer

Peterborough

ww Sir Vere Fane x
ww William Lord Fitz-
william x

Brackley

54 vv Robert Spencer
www Sir Thomas Crew x

Higham Ferrers

vv Sir Lewis Palmer

Northumberland

vv Sir John Fenwick
vv Sir Ralph Delaval

Newcastle

55 vv Sir Francis Anderson
ww Sir William Blackett

¹Ralph Montagu.

Morpeth

v v v Sir George Downing
v v Edward Lord Morpeth

Berwick

v v Daniel Collingwood
56 v v v Peregrine Viscount
Dunblane

Nottinghamshire

www Sir Scroope Howe x
57 v v v Sir Francis Leeke

Nottingham Town

ww Arthur Stanhope x
ww Robert Pierpoint

East Retford

ww Sir William Hickman
v v Sir Edward Dering

Newark

w Sir Richard Rothwell
58 v w Henry Savile

Oxfordshire

w Sir Francis Wenman
w Sir Edward Norris

University

v v v Laurence Hyde
w Thomas Thynne

Oxon City

v w Richard Crooke
www Brome Whorwood x

Woodstock

59 v v v Sir Thomas Spencer
w Thomas Hord
[Howard]

Banbury

www Sir John Holman

Rutland

v Edward Noel
ww Philip Sherrard x

Shropshire

60 v v v Sir Francis Lawley
www Richard Newport x

Shrewsbury

www Robert Leighton
w Sir Richard Corbet v

Bridgnorth

ww Sir William Whitmore
v v Sir Thomas Whitmore

Ludlow

v v v Somerset Fox
v v v Sir Job Charlton

Wenlock

61 w Sir Thomas Littleton
v v v George Weld

Bishop's Castle

v v Edmond Waring
v w William Oakeley

Somerset

w Sir John Sydenham
w Sir Edward Phillips

Bristol

w v Sir John Knight
v v Sir Humphrey Hooks
dead
w Sir Robert Cann

Bath

w Sir George Speke
62 v v Sir William Bassett

Wells

v v Maurice Lord Fitz-
harding
ww John Hall

Taunton

ww
ww Sir William Portman
63 v v Sir William Wynd-
ham

Bridgwater

v v v Sir Edmund Wynd-
ham
v ww Peregrine Palmer

Minehead

v v v Thomas Wyndham
www Sir John Mallett

Ilchester

w Sir Edward Phillips
w Henry Dunster

Milborne Port

www Michael Mallett
ww John Hunt

Hampshire

www Sir Francis Rolle x
w Sir John Norton

Winchester

v v v Sir Robert Holmes
64 v v Lawrence Hyde

Southampton

- w* Sir Richard Ford—
dead Mr. Newland *v*
65 *vvv* Thomas Knollys

Portsmouth

- www* Richard Norton *w*
66 *vvv* Sir George Carteret

Petersfield

- 67 *vvv* Thomas Neale
w Mr. Bilson

Stockbridge

- 68 *v* Sir Robert Howard
69 *v* Robert Phillips

Christchurch

- 70 *w* Humphrey Weld
www Henry Tulse *x*

Whitchurch

- ww* Richard Ayliffe
ww Sir Giles Hungerford

Lymington

- vv*
71 *www* Sir William Lewis
dead Sir Rich:
Knight
72 *vv* Sir Nicholas Stewart

Andover

- 73 *vv* John Collins
vv Sir Kingsmill Lucy
—dead Mr. West

Newport

- vv* William Glascocke
ww Sir Robert Dillington

Yarmouth

- www* Richard Lucy dead *x*
His son *v*
vv Sir Edward Smith

Newton

- w* Sir John Barrington
vvv Sir John Holmes

Staffordshire

- ww* Sir Edward Littleton
vvv Ralph Egerton

Stafford Town

- v* Walter Chetwynd
w William Chetwynd

Lichfield

- vv*
www Sir Theophilus Bid-
dolph
ww Richard Dyett dead
Sir Henry Littleton

Newcastle under Lyme

- v* Sir Caesar Cough-
cleigh [Coldclough]
vv William Leveson
Gower

Tamworth

- www* Charles Lord Clifford *x*
www John Swynfen *x*

Suffolk

- 74 *vvv* Sir Henry Felton
www Sir Samuel Barnar-
diston *x*

Ipswich

- ww* John Wright
75 *vv* Gilbert Lindfield

Bury

- 76 *v w* Sir John Duncombe
77 *v w* William Duncombe

Dunwich

- 78 *vv* Sir John Pettus
vv William Wood dead
—Mr. Allen son to
Sir Tho: Allen of
the Navy.¹

Offord

- w* Sir Alan Broderick
v Walter Devereux

Aldborough

- w* Sir John Holland *x*
w John Bence—dead²

Sudbury

- ww* Sir Robert Cordell
w Sir Gervase Elwes

Eye

- vvv* Sir George Reeve
dead Sir Charles
Gawdy
vvv Robert Reeve

Surrey

- 79 *vvv* Sir Adam Browne
80 *w*² Sir Edmund Bowyer *v*

¹Not in Shaftesbury's hand.²Indistinct.

Westbury

- vv Richard Lewis
 87 vvv *Thomas Wancklyn*
 turned out¹—Mr.
 Bertie brother to my
 Lord Norris

Heytesbury

- w John Jolliffe
 www William Ash x

Calne

- ww William Duckett
 88 w George Lowe

Devizes

- www Sir Edward Bainton x
 89 vvv George Johnson

Chippenham

- w Sir Edward Hunger-
 ford
 90 vvv Francis Gwyn

Malmesbury

- 91 vv Philip Howard
 92 vvv Sir Thomas Estcourt

Cricklade

- ww Sir George Hunger-
 ford
 93 vvv Sir John Ernle

Bedwin

- vvv Henry Clerke
 vvv Daniel Finch

Ludgershall

- vvv William Ashburnham
 vvv George Legge

Wootton Bassett

- ww Sir Walter St John
 ww John Pleydall

Marlborough

- 94 vvv Sir John Elwes
 vvvvv Jeffrey Daniell

Worcestershire

- ww Sir John Packington
 95 vvv Samuel Sandys sen^r.

Worcester City

- vv Sir Rowland Berkeley
 vvv Thomas Street

Droitwich

- vv Henry Coventry
 vvv Samuel Sandys Jun^r.

Evesham

- ww Sir James Rowshott
 [Rushout]
 vv Sir John Hammer

Bewdley

- ww Henry Herbert

Yorkshire

- vv Conyers Darcy
 96 vv Sir Thomas Slingsby

York City

- w Sir Metcalfe Robinson
 ww Sir Henry Thompson

Hull

- vvv Anthony Gilby
 www *Andrew Marvell* x
dead Alderman
 Ramsden

Knareborough

- 97 vvv Sir John Talbot
 www William Stockdale
dead x

Scarborough

- ww William Thompson
 98 w Sir Philip Monckton

Ripon

- vvv Sir John Nicholas
 vv Sir Edmund Jennings

Richmond

- vvv Marmaduke Darcy
 99 vvv Sir William Killcgrewe

Heydon

- www Sir Hugh Bethel
 100 vvv Henry Guy

Boroughbridge

- vvv Sir Henry Goodrick
 www Sir Michael Wharton x

Malton

- ww William Palmes
 w Mr. Hebblethwaite

¹ Expelled from the House.

Aldborough		Sandwich	
vv	Sir John Reresby	ww	James Thurborne
vvv	<i>Sir Solomon Swale</i> turned out ¹	vv	John Strode
ww	Mr. Wentworth	Seaford	
Thirsk		w	Sir William Thomas
vvv	Sir William Wentworth	ww	Sir Nicholas Pelham
w	Sir William Frankland	Wales	
Beverley		Anglesey	
www	Michael Wharton x	www	Nicholas Bagnall x
www	Sir John Hotham	Beaumaris	
Northallerton		vv	John Robinson
ww	Sir Gilbert Gerrard	Brecknockshire	
ww	Roger Talbot	104 vv	Edward Progers
Pontefract		Brecknock Town	
w	Sir John Dawney	vvv	<i>Sir Herbert Price</i> dead
w	Sir William Lowther	w	Mr. Mansell
Barons of the Cinque Ports		Cardiganshire	
Hastings		v	Edward Vaughan
101 w	Edmund Waller	vvv	Edward Vaughan
vv	Sir Denny Ashburnham	Cardigan Town	
Winchelsea		vvv	Sir Charles Cotterell
vvv	<i>Francis Finch</i> —dead — <i>Sir John Banks</i> — vvv ²	Carmarthenshire	
ww	Robert Austin dead	www	Altham Vaughan
w	Mr. Draper	Carmarthen Town	
Rye		vvv	John Lord Vaughan
102 vv	Sir John Robinson	Carnarvonshire	
w	Sir John Austin	vv	Robert Lord Bulkley
Romney		Carnarvon Town	
vv	Sir Norton Knatchbull dead	vv	William Griffith
ww	Sir Charles Sedley x	Denbighshire	
Hythe		vv	John Wynne
vv	John Harvey	Denbigh Town	
vvv	Sir Leoline Jenkins	vv	Sir John Salisbury
Dover		Flintshire	
103 vv	George Montagu	vv	<i>Sir Thomas Hanmer</i> dead Mutton Davies esq. ³
w	Thomas Papillon	Flint Town	
		vv	Roger Whitley

¹ Expelled from the House.² After Finch's death Banks and Draper disputed an election, and Draper was eventually declared elected.³ 'dead Mutton Davies esq.' not in Shaftesbury's hand.

Glamorgan
ww Sir Edward Mansell

Cardiff
w Sir Robert Thomas

Merioneth
vv William Price

Pembrokeshire
ww Arthur Owen—dead
Arthur Owen

Pembroke Town
ww Sir Hugh Owen

Haverfordwest
w Sir Herbert Perrott¹

Montgomeryshire
vvv Andrew Newport

Montgomery Town
w Henry Herbert—a
Baron

Radnorshire
w Richard Williams

Radnor Town
www Sir Edward Harlowe
[Harley] x

Computer Analysis of Poll Books: an Initial Report

POLL BOOKS, which record how votes were cast at parliamentary elections before the introduction of the secret ballot, are invaluable evidence for the historian-psephologist. Individual examples can illuminate vividly both the structure and the behaviour of the electorate.² When two or more provide details of polls at successive elections in the same constituency, the information can be used to obtain a dynamic as well as a static view of the electorate.

Even if they yield no more than bare lists of voters, and how they voted at two elections, poll books can be collated to show how many men cast votes on both occasions. Such knowledge can provide the answers to a number of questions. For example, what changes took place in the personnel of electors between the two elections; how far was the outcome of the second election affected by these changes; was there a substantial floating vote, or did those who voted on both occasions support the same side consistently? When further details are available, for instance on the status or occupations of voters, other problems can be solved. Did baronets and clergymen tend to vote differently either from each other or from their fellow constituents? Poll books for counties usually contain more information than for boroughs, generally indicating where freeholders held their land and often where they lived. These therefore permit geographical comparisons to be made. For example, the zones of effectiveness of different territorial interests can to some extent be measured.

Difficulties of collation arise with counties, however, because of the size of their electorates. It is tedious to collate even two poll books for Rutland, which had well under 1,000 voters. Where successive books have survived

¹Name inserted by Shaftesbury: Perrott came in at a by-election in 1677.

²Cf. J. R. Vincent, *Pollbooks: how Victorians voted* (Cambridge, 1967).

for other English counties, all of which had well over 1,000 voters and some over 5,000, the task of analysis becomes almost intolerable for any individual historian to do by hand. A computer can relieve the tedium considerably, as the authors, one a historian, the other a computer scientist, have discovered.¹ An initial analysis has been made of poll books for parliamentary elections in Hampshire in 1705 and 1710.² The purpose of this communication is to indicate how this was done, to demonstrate some of the results obtained and to suggest their significance.

The 1705 poll book records 2,135 votes cast for Thomas Jervoise, 1,981 for Richard Chaundler and 1,571 for Thomas Lewis, in the form

Freeholds	Freeholders	Jerv.	Chau.	Lew.
Abbotts-Anne	Samuel Stone, Clerk			—
Abbuston	Robert Blunden	—	—	

The other publishes the poll for four candidates who stood in 1710, when 2,147 voted for Charles, lord marquess of Winchester, 2,581 for Sir Simeon Stuart Bt., 2,625 for George Pitt and 2,237 for Thomas Jervoise, thus

Freeholds	Freeholders	L.W.	S.	P.	J.
Abbotston	Edward Wilkinson	—			—
	William Smith	—			—
Ann Abbots	Richard Marshall	—			—
	John Lamport			—	—

The first step towards collating these books was to standardize the information for transfer on to paper tape. Thus numbers were allotted to descriptions of status or profession, for example baronet = 0; clergyman = 1. Then the poll books were keypunched and the information transferred for storage on to magnetic tapes. The initial magnetic tape record for each individual comprised his county, his district, his surname and initial, his votes and the years in which they were cast, and, where known, his social group.

The following example shows how the information in the 1705 poll book was transferred on to a data tape. The entries in the original book appeared in this form:

Freeholds		Jerv	Chau	Lewis
Bonechurch	John Combs			—
Bossington	Thomas Edmunds, Gent.	—	—	
	Thomas Dale	—	—	

¹We are grateful to the University of Newcastle upon Tyne, and to the Computing Laboratory, for making available funds and the English Electric KDF9 computer for this project.

²The 1705 book is in Southampton University library; that for 1710 in the Bodleian Library.

They were keypunched in the format:

```

/Bonechurch/
J Combs;           L;
→
/Bossington/
T Edmunds;      4;   J C;
T Dale;         J C;
→

```

Note that the district name had only to be punched once regardless of how many voters were named under it. Arrows indicate the end of information for each district.

The next step was to search for names common to both books preparatory to drawing up a list of Hampshire freeholders who had voted in 1705 and again in 1710. This procedure ran into immediate difficulties arising from the vagaries of eighteenth-century spelling. Even the districts in Hampshire could be spelt in different ways, as seen in the above examples of Abbots-Anne and Ann Abbots, Abbuston and Abbotston. Since the identification of individuals common to both books depended upon their districts being identical, the spelling of each location was standardized. A similar problem arose over different versions of the same surname being recorded. Early eighteenth-century orthography was imprecise at the best of times. In a situation where a forty shilling freeholder pronounced his name for a busy clerk of the poll to scribble down, the differences could be quite remarkable. Such variants as Broom and Browham, Call and Cawle, Hayes and Heighes were commonplace; one voter appeared as Moncher in 1705 and Monsieur in 1710.

This problem was circumvented in two stages. First identical spellings were dealt with, and then variants. The computer was programmed to locate all names with identical spellings and the same districts which occur in both books. When only one such name occurred in each list it was taken to belong to the same freeholder, and his records were merged to produce a single item on the magnetic tape. The assumption was therefore made that the same surname and initial indicated the same individual; that is, if only one H. Smith from the same district appeared in both books he could be identified as one man. This can of course be a mistake. It could have been Henry Smith in 1705 and Herbert Smith in 1710. The decision to record only the initial letter of the Christian name had originally been taken partly to keep costs down, but also to facilitate identification. For Christian names could be almost as variously spelt as surnames; for example Joseph and Jo, Mawris and Morris, Simon and Symon. To collate variously spelt surnames was hard enough. Preserving variants in the first name would have made analysis of computer output unnecessarily complicated, as a manual check of Winchester freeholders revealed. Of forty-two identical names and initials merged by the computer from the entries for Winchester in both poll books, forty-one proved on investigation to have the same

Christian names, and only one identification was erroneous—E. Young was Edward in 1705 and Edmund in 1710. The margin of error was therefore low enough to be negligible.

There were occasions when the computer indicated a number of voters from the same district with identical names and initials. The most common examples were of two voting in both elections, and of one voting at one election and two at the other. In every case the original poll book was consulted to check the Christian names. This usually revealed how to match pairs or, where only three names were involved, eliminated one of the two voting on the same occasion. Nevertheless it left a number of men with identical Christian names and surnames—fifty-one in 1705, eighty-one in 1710—voting at the same election. Thus three Hambleton freeholders who voted in 1705 were called George Binsted, while two of that name polled in 1710.

Such occurrences added to the hazards of producing an accurate list of voters common to both poll books, though steps were taken to reduce errors to a minimum. Sometimes error was eradicated by other information about voters. For instance, two George Stanleys from Southampton voted in 1710, and one in 1705. The George Stanley who turned out on both occasions could be readily identified, however, since he is described as 'Gent' in the two poll books. Another clue is provided when father and son with the same Christian name are distinguished as Senior and Junior. Thus two Zachariah Scullards, Senior and Junior, voted in 1705, and only one in 1710. Though it could be argued either way, the safest assumption seemed to be that the Zachariah who polled in the later election was in fact Scullard Junior. When no such clues were available the votes cast by men with the same name were checked. Thus if two John Smiths voted in 1705 and 1710, one for the whigs and the other for the tories on each occasion, then those with like votes were paired. Similarly if only one John Smith voted in 1710, then if he appeared on the whig side he was identified with the namesake who voted whig in 1705, and with the other if he voted tory. If after all these investigations the men concerned were in every respect identical, then it did not matter how they were paired if there were two in each year, or which were merged if there were two in one year and only one in the other.

Merging the names of voters whose surnames were spelt exactly the same way produced a list of 1,083 Hampshire freeholders who voted in 1705 and 1710. When their records had been combined to produce a single item on the magnetic tape, the computer was programmed to search the rest of the information for any similarity between names on both poll books. Though this process suggested quite impossible combinations it also indicated about 400 individuals whose surnames were variously spelt. These were subjected to the same procedure as that used for men with identical names. When only one occurred in each year it was immediately merged to produce a single item. If two or more appeared, external checks were made to identify those freeholders who appeared in both poll books. This search located a

further 383 names which, together with the items merged on the first run, produced a list of 1,466 freeholders who had voted in 1705 and 1710.

All these identifications involve guesswork. Even if exactly the same name occurs in both books it cannot be taken for granted that the same man voted on two occasions. It could be two men with the same name. However, besides those arising from the decision to take surnames and initials rather than full names into account, such guesses are inherent in the nature of the evidence, and do not arise from the method of analysis. Errors of identification are inevitable whether poll books are collated by hand or by computer. The main value of collating them does not lie in the production of an accurate list of those who actually voted on two occasions—this simply cannot be done given the methods of producing the books. Eighteenth-century clerks and printers did not treat electoral lists with the same care as a modern registrar of electors or returning officer, as a delightful note at the end of the Hampshire poll book for 1710 testifies: 'There were some few names that were so blotted in taking the poll in the arbor, by reason of the rain, that they could not be read'. The compilation of a completely accurate list of Hampshire freeholders who voted in 1705 and 1710, therefore, is beyond the ingenuity of man or machine.

Even an incomplete list, however, is of immense value simply by virtue of the numbers involved. Though each individual entry could be queried, the evidence for 1,466 voters is solid enough to support conclusions based upon it. Innumerable questions can be put to information stored in this way. For immediate purposes, however, the solutions to only the following were sought. First, how many freeholders voted in 1705, in 1710 and on both occasions? Secondly, how were these votes distributed between the parties? Extraneous sources were used to identify Chaundler, Jervoise and the marquess of Winchester as whigs, and Lewis, Pitt and Stuart as tories. Anybody who voted for Chaundler or Jervoise, or both, was taken to be a whig voter: those who 'plumped' for Lewis were regarded as tory voters. Similarly votes for Jervoise or Winchester or both were deemed to be whig, while votes for Pitt or Stuart or both were held to be tory. Since most of those who appear only once, either in 1705 or in 1710, voted along straight party lines, then the distribution of their votes between the two parties was alone considered. With those who polled twice, however, those who 'split tickets', in the useful American phrase, were counted as well as those who voted consistently tory or whig. If people voted in 1705 for Lewis and either of the whig candidates, or in 1710 for a tory and a whig, they were recorded as having split their votes. The same set of questions, except those involving 'split tickets', was also put first to the Southampton freeholders, and then to all the Hampshire clergy who polled at both elections. The results of these queries are presented below exactly as they were produced by the computer programme.

Although detailed explanation of the meaning of these results is superfluous since the computer output is programmed to be self-explanatory, a few comments might be made about their significance. The figures can be

analysed in many ways, but it seems appropriate here to interpret only what they reveal about the stability and voting habits of the electorate in Hampshire, and why the whigs won both seats there in 1705 and the tories in 1710.

It is clear from the figures given of all those who voted in 1705 and 1710 that more freeholders voted at the second election than at the first—1,236 more to be precise. This in itself demonstrates a big change in the personnel comprising the electorate between the two dates. But the full extent of the change is indicated by the computation that only 1,466 in fact polled at both elections. Even though this figure is not absolutely accurate, as explained above, it cannot be far out. At all events it is safe to assert that far and away the greater number of freeholders who voted in these two elections polled at only one of them. Two explanations of this high turnover suggest themselves immediately. They either reflect actual changes in the composition of the electorate due to deaths or transfers of freeholds, or they show that a majority of those who voted in 1705 could not be bothered to vote in 1710, and vice versa that most of those who took the trouble to poll at the second election had been politically apathetic at the time of the first.

Whatever their explanation the figures show that if those who appeared for the first time in 1710 had voted *en bloc* they would have been enough to sway the outcome. The tories overcame the whigs at this poll effectively by 400–450 votes, that being the margin between the totals cast for Pitt and Jervoise on the one hand, and for Stuart and the marquess of Winchester on the other. In fact, though the 'new' voters were definitely tory inclined—1,748 tories against 1,421 whigs—they did not vote overwhelmingly for Pitt and Stuart. At least they did not make the vital difference which led the tories to victory in 1710. These crucial votes came from those who voted at both elections. As an analysis of their votes demonstrates, these too were very much divided in their party allegiances, though substantially more supported the whigs than the tories at both elections. The degree to which the electorate divided along party lines is remarkable. This is obvious from the votes of those who only appear once. Only 201 of the 2,051 freeholders whose names are recorded in the first poll book and not in the second 'split tickets'; the rest voted either tory or whig. A mere eighty-two out of 3,205 who feature only in the 1710 poll gave a vote to each side. Of those who voted twice only 159 voted for both a whig and a tory candidate on the same occasion. It is significant that many more freeholders divided their loyalties in 1705, when there was only one tory standing, than in 1710 when both parties fielded two candidates. Presumably in 1705 some freeholders were reluctant to waste a vote altogether, and instead of throwing it away gave it to a whig. Many more, however, some 1,316 all told, were prepared to 'plump' for Lewis.

While the great majority of the electors divided along party lines in 1705 and again in 1710, between those dates substantial changes of allegiance occurred. There was a 'floating vote' in Hampshire which comprised

about a fifth of the freeholders who polled at both elections, taking into account only those who changed sides completely, and ignoring those who divided their allegiance at one election and voted along straight party lines at the other. This casts doubts on some accepted assertions about the voting habits of freeholders in the eighteenth century. So far from responding to social pressure from above to conform to one interest, they seem to have exercised a degree of free choice which justified contemporary claims that they were the most independent elements in the electorate. Men who voted for freeholds situated in Southampton displayed similar characteristics, though they diverged in some respects from the voting patterns exhibited by all the freeholders in the county. There were more consistent tories than whigs among them, where in the county as a whole it was the other way round, and the floating vote was higher, comprising a quarter of the Southampton freeholders. Indeed the 'swing' from one party to another was so high that generalizations about the political allegiances of groups of voters cannot be made on the basis of studying individual poll books in isolation. It is necessary to collate at least two to see how strong party loyalty was. There can, however, be little doubt about the toryism of the clergy. The figures from Hampshire back up to the hilt contemporary assertions that Anglican ministers overwhelmingly supported the tory side in the early eighteenth century.

It is possible, of course, that Hampshire was not typical, though the instability and voting behaviour of the electorate certainly corresponds with conclusions reached from manual analyses of poll books for elections in Northamptonshire and several boroughs during the period 1701 to 1715.¹ Poll books for Buckinghamshire, Rutland and Westmorland recording elections held in the same period are being prepared for analysis by computer. Eventually abundant evidence should be available to check the conclusions reached in this communication on the basis of the Hampshire evidence and to answer a great many more questions. Meanwhile the authors hope that they have demonstrated how computers can be used for these purposes.

W. A. SPECK

W. A. GRAY

¹See W. A. Speck, *Tory and Whig: the Struggle in the Constituencies, 1701-15* (1970), ch. ii.

Historical News

THE SECOND CONFERENCE of the Anglo-German Group of Historians was held at the Institute of Historical Research from 6 to 8 November 1969. It was attended by eight leading German historians and archivists, and by ten from the British side. The major objective was to provide the German members with a clear picture of the extensive facilities for German and Anglo-German historical studies in London. On both sides there is a strong aspiration to see eventually established an Institute of German History in London. Visits were paid to the Warburg Institute, the Institute of Germanic Studies, the Public Record Office and the German sections of the British Museum book-stack.

The Conference also continued the planning of co-operative research begun at Frankfurt in February 1969, and compared its schemes with the research actually being conducted at present. The German members outlined their plans for three surveys, which they intend to edit and publish with financial aid from the Volkswagen Foundation:

- (a) Anglo-German relations, 1900-14. Editor: Professor Schlenke.
- (b) Anglo-German relations in the financial and economic fields during the 1920s and 1930s, together with their impact on foreign policy. Editor: Professor Ritter.
- (c) British policy towards Germany during and immediately after the Second World War. Editor: Professor Kluge.

In addition, Dr. Haase announced that he had already started work on his guide to German archives. He intended a book of about 150 pages, and hoped to finish it in one or two years' time. Dr. Haase also announced that one of his assistants, Dr. Lenz, would arrive in London about May 1970 with the intention of working there for about three years. Dr. Lenz's objective would be to compile a guide to those materials in British libraries and archives which throw light on German history and Anglo-German relations.

Dr. Chaplais outlined a scheme for a biographical dictionary of medieval diplomats active in Anglo-German relations; he also envisaged a series of facsimiles of Public Record Office documents concerning early Anglo-German diplomacy. Dr. W. A. Mommsen, President of the Federal Archives at Koblenz, supplied a list of British scholars working there, while Dr. Haase reported on the researches conducted by British and American scholars in the State Archives at Hanover. Professor Dickens analysed the distribution of interest among 106 British scholars working on German and Anglo-German topics. Of these no less than forty-eight were concerned with twentieth-century subjects. He undertook to enlarge the list by making

inquiries in British university departments of German and of Politics. As requested by the German members, he gave a detailed report on the work of the Institute of Historical Research, stressing those problems which seemed relevant to the scheme to found a German Institute of History in London.

Information was also provided concerning the large German collections in the Brotherton Library, University of Leeds, and in the Wiener Library and other British institutions. Mr. Scheele of the British Museum sketched a plan to create an index of British Museum books on German and Germanic subjects. The Conference agreed that such an index (which might include 200,000 items) would prove an invaluable instrument for future historical studies in London, and the German members undertook to investigate the possibilities of German financial support for this undertaking. Dr. Henderson stressed the importance of business-history in the field of Anglo-German relations; President Mommsen and Dr. Haase gave an account of the problems affecting the preservation and use of business archives in both Western and Eastern Germany.

It was agreed that a third meeting should take place in about a year's time.

During the Conference the visitors were entertained to dinner by the President and some Fellows of the British Academy, and by the London School of Economics. On Friday, 7 November, a lunch at the Institute of Historical Research was attended by the German Cultural Attaché, Frau Dr. Lohmeyer.

* * * * *

In conjunction with the acquisition of an important collection of material relating to the Paris Commune of 1871, and on the occasion of the centenary, the University of Sussex (with the aid of the Society for the Study of Labour History and of members of the Institut français d'histoire sociale) is preparing a colloquium which will be held during the weekend of 26-28 March 1971. Sessions are being planned around each of the following themes: A. Historical issues in Commune studies today; B. The Commune in relation to preceding French revolutionary movements since 1789; C. The impact of the Commune upon French society and culture; D. The immediate impact of the Commune in Great Britain; E. The place of the Commune in subsequent revolutionary thought. The organizing committee includes Professor Tom Bottomore, Eric Hobsbawm, Maurice Hutt, Professor Douglas Johnson, Roderick Kedward, Istvan Mészáros, Ralph Miliband and Eugene Schulkind (Secretary). Further information may be secured from E. Schulkind, Arts Building, University of Sussex, Brighton, Sussex.

* * * * *

A grant from the Isobel Thornley Bequest has made it possible to issue gratis with this number of the *Bulletin* Special Supplement No. 8, with the title *Lieutenants of Counties, 1585-1642*, by J. C. Sainty. Additional copies

may be obtained (price £1 post free) from the Secretary, Institute of Historical Research, University of London, Senate House, London, W.C.1.

* * * * *

The central staff of the Victoria History of the Counties of England have produced a new *Handbook for Editors and Contributors*. It sets out the details of editorial practice—the 'house style'—of the Victoria County History. Most of the points covered have a wider application: they include methods of expressing dates, periods and numbers, the use of abbreviations and initial capital letters, punctuation and the forms of names, in particular the way to cite sources in footnotes; there is also a section on preparing material for the printer. Although the *Handbook* is designed to resolve difficulties met in compiling a particular historical work, anyone engaged in writing or editing English history is likely to find its precepts useful. It is a revised and much enlarged version of the *Handbook for Contributors* which was privately printed in 1954, and since the earlier version was found to be helpful to people working outside the Victoria County History, the new *Handbook* is being made available to the public. Copies (10s. each) may be obtained from the Secretary of the Institute.

* * * * *

Besides the *Journal of British Studies*, issued by the Conference on British Studies during the last nine years, a new organization in the United States, the Anglo-American Associates, launched early in 1970 an interdisciplinary newsletter in the same broad field. Roger Howell, President of Bowdoin College, will serve as editor. Enquiries and news items should be addressed to the Executive Secretary of the Anglo-American Associates, Ruth Emery, 117 East 35th Street, New York City, New York 10016, U.S.A.

* * * * *

Registration forms for the Anglo-American Conference of Historians, to be held in London on 9 and 10 July 1970, may be obtained from the Secretary of the Institute. *They should be returned to reach him not later than Friday, 26 June.*

Summary of Julian Corbett Prize Essay, 1968

British Naval Policy and the Sino-Japanese War 1894-5. By J. BERRYMAN.

ALTHOUGH NO DETAILED study of Lord Rosebery's foreign policy has yet been published, a number of historians have examined British diplomacy during the war between China and Japan which broke out in August 1894 and lasted until April 1895. Scattered references may be found in these works to the naval problems involved but none examine the extent to which naval considerations helped shape diplomacy. Nor do these works reveal anything of the way in which the professional naval advisers in Whitehall or the squadron commander in the China seas tackled the specific problems of maritime defence which arose. Drawing upon admiralty and Foreign Office files in the Public Record Office, supplemented mainly by the private papers of Lord Rosebery, then prime minister, Lord Spencer, the first lord of the admiralty, and Vice-Admiral Sir Edmund Fremantle, the commander in chief of the China station, this essay attempts to remedy these deficiencies.

In the context of the accelerating disintegration of the Chinese empire and the aggressive expansion of Japanese capitalism, the immediate origins of the war lay in the question of troop movements into Korea, the first area of Sino-Japanese contestation. It has been suggested that Britain, and possibly Russia, might have stopped the war had they used gunboat diplomacy, either singly or in concert with other powers, to force both China and Japan to evacuate Korea. Neither did so. For Britain, unilateral naval intervention was not a realistic proposition. By the eighteen-nineties both China and Japan possessed significant naval forces and in the summer of 1894 the Royal Navy could immediately deploy only the twenty-two ships of the China squadron against the fifty-two ships of Japan or the eighty-seven assorted vessels of China. Furthermore any unilateral naval action might bring in the other European naval powers in the far east, notably France and Russia. It was assumed that the recent signature of the Franco-Russian alliance would presage their close naval co-operation in which case, as Fremantle pointed out, 'were the French and Russian squadrons to combine and work together they might even inflict a decided reverse upon us'.

Apart from this delicate naval balance in the western Pacific, the situation did not warrant the use of naval forces by Britain. No one could foresee precisely which way a possible war might go; all that could be predicted was that it would be fought for the control of Korea, where Britain had virtually no commercial interests, the Japanese having acquired ninety per cent of Korea's foreign trade by 1894. Nor was there any indication that Britain's interests would not be protected as competently as they had been in the war between France and China in 1884-5. Moreover, even before the war broke out, both Rosebery and Lord Kimberley, his Foreign Secretary, were beginning to despair of the Chinese government's capacity to guarantee the security of the considerable British interests in the Yangtse valley and hold off Russian pressure from the north. Japan, with her rapidly growing armed forces, might prove to be a useful new ally

to defend these interests against Russia in the future. In the circumstances of July 1894, any use of gunboat diplomacy was therefore out of the question since, as Rosebery and Kimberley agreed, it would not be 'armed mediation' but would 'really be directed against Japan who is the aggressor'. It was decided that Britain's naval squadron would be used in a strictly defensive rôle to protect the treaty ports and Britain's sea-borne commerce.

Russia also rejected the unilateral use of naval force and she too adopted a policy of guarded neutrality. But, despite the similarity of the policies adopted by Britain and Russia, and their collaboration in the various diplomatic initiatives launched before the war broke out, joint naval co-operation between Britain, France and Russia was never seriously contemplated. Not only were Anglo-French relations in a poor state, recovering only slowly from the Siam crisis of the previous year, but there was the prospect that if Britain and Russia were to intervene they might become involved in a joint occupation of Korea, a possibility which Rosebery thought was 'in itself enough to deter one from action'. In the absence of any threat to use armed force, the diplomatic entreaties of the great powers were ignored by China and Japan and on 1 August war was declared.

For the British government, two important problems emerged before the official outbreak of war. On 25 July a Japanese cruiser sank the *Kowshing*, a British-owned transport steamer under hire to the Chinese government for carrying 1,200 troops to Korea. Most of the troops were drowned or machine-gunned in the water. This incident provoked widespread indignation but even more significant for the British government was the split it produced between the Foreign Office and the admiralty. For the Foreign Office, the need to maintain amicable relations with Japan dictated that Britain should not take any hasty action but should await the considered report of its law officers. For the admiralty the priorities were of a more straightforward and urgent nature, summed up on 1 August by Spencer when he wrote: 'The question of importance is whether interference takes place with British merchant shipping'. The total value of Britain's sea-borne trade with China was nineteen times greater than that of any other power whilst British ships carried eighty-three per cent of all China's trade conveyed in foreign vessels. Since the volume of Britain's trade with China was several times that of her trade with Japan, it was hardly surprising that the admiralty considered the protection of the former to be of the first importance and that consequently it was bound to adopt what would seem to be an anti-Japanese stance.

The divergence between the attitude of 'strict neutrality' which the Foreign Office was anxious to maintain, and the determination of the admiralty to keep a vigilant eye on the Japanese navy, soon became apparent over the question of Fremantle's actions. Despite his explanations, it is clear that from the first he was extremely hostile to the Japanese. The sinking of the *Kowshing* served only to confirm his prejudice. He concluded that British merchant shipping could only be adequately protected from the Japanese navy by convoy and accordingly on his own initiative he sought to implement this measure. Spencer quickly overruled his actions, partly because of pressure from the Foreign Office and partly because of the longer-term consideration that any extension of the immunity of neutral shipping in wartime might harm British blockading rights in a future war. The admiralty nevertheless decided to exercise only a very loose control over Fremantle's actions for the duration of the war. So long as his aggressive behaviour and reputation kept Japanese warships away from British merchant vessels the

thorny question of contraband would not be raised. Hence, despite the steady flow of reports on Fremantle's provocative actions received in Whitehall, leading to mounting concern at the Foreign Office, this policy was maintained throughout the war.

Over the question of Shanghai the admiralty's views were equally important in shaping British policy. On 22 July a telegram had informed the Foreign Office that the Chinese, fearing a Japanese attack upon the Kiangnan arsenal next to Shanghai, had decided to block the navigable approaches to the city. Determined to avert the catastrophic effect which such a measure would have upon the commercial life of this great treaty port, within twenty-four hours the Foreign Office had secured a pledge from the Japanese government that no warlike operations would be undertaken against the city and its approaches. The Chinese were then persuaded not to block the Woosung river. However, as the war progressed and as the Japanese armed forces advanced from one victory to another, it seemed increasingly likely that this pledge might be broken, particularly since the arsenal continued to produce munitions of war. When a telegram arrived on 28 September from Trench, the British minister in Tokyo, warning of rumours that the Japanese were contemplating a sudden attack upon Shanghai, it was assumed that a genuine crisis was at hand. Once again a sharp division of opinion emerged in Whitehall, this time between the professional naval advisers in the admiralty and the civilian ministers, notably Spencer, Rosebery and Kimberley. Keenly aware of the uneven balance of naval forces in the China seas, Sir Frederick Richards, the first sea lord, argued against relying upon the China squadron to defend Shanghai against a naval attack and urged diplomatic action to stall the Japanese whilst cruiser reinforcements were rushed out. At first, Spencer and Kimberley rejected this advice, arguing that diplomatic action would take too long to arrange and that the China squadron would have to be prepared for action. Instructions to this effect were therefore sent out but as a result of the persistent and forceful representations of Richards, they were eventually countermanded on the eve of the cabinet meeting of 4 October, called by Rosebery to discuss the possibility of war with Japan. At the meeting, in the light of the reports which had by now been received from Fremantle and from the Naval Intelligence Department on the balance of naval forces around Shanghai, the correctness of the first sea lord's advice was recognized and substantial reinforcements were immediately ordered to the far east. In the event no attack was launched and the unreality of the 'crisis' later became apparent. As O'Connor, the British minister in Peking, afterwards pointed out, the Japanese would have been 'mad to have attacked Shanghai since it would have turned all the sympathy they got from Europe and America dead against them'.

At the end of the war, Britain's decision not to join the 'Triple Intervention' against Japan was based upon considerations similar to those which had been adduced to support her policy of non-intervention before and during the war. The Japanese peace terms did not seriously threaten British commercial interests in China and, quite apart from the fact that the diplomatic initiative was organized by Russia to serve Russian interests, Rosebery and Kimberley were still determined not to alienate a potential ally such as Japan, particularly since she had proved her military worth during the war. Indeed, with the growing number of French, Russian and German warships being sent to the western Pacific, the value of securing the powerful Japanese navy as an ally was becoming increasingly evident. There was therefore no reason why Britain should 'go to war to pull

Russia's chestnuts out of the fire'. One historian alleges that the policy of non-intervention and guarded neutrality was 'merely the last negative of a liberal cabinet in full dissolution', but it is clear that the opposite was the case. For the reasons outlined, non-intervention was fully supported by the Liberal Imperialists, Rosebery, Kimberley and Spencer. Not unnaturally, this policy also enjoyed the support of the 'Little Englanders', led by Sir William Harcourt, whilst informed public opinion was, in the words of *The Times*, 'entirely in accord with the judicious neutrality of the government'. The cabinet, the government and *The Times* were united.

Although not designed to contribute in a positive and immediate fashion to the furtherance of Britain's commercial hegemony in the far east (Rosebery himself later admitted that Britain 'had not made sufficient use of . . . (her) . . . recent friendly action towards Japan') the policy of non-intervention did in the long run serve Britain's interests. The 'Triple Intervention' was to remain an object of intense resentment in Japan for many years, and, if it cannot be said that Britain gained Japan as an ally in 1895, it is clear that the actions of Russia, France and Germany made it very unlikely that Japan would regard them as future allies. In a mood of complacent self-congratulation, Spencer later wrote: 'Our action has been much the most dignified and just and we ought to benefit by it . . . in the end'. Seven years later the Anglo-Japanese alliance was signed.

Historical Manuscripts

A. ACCESSIONS

THE BRITISH MUSEUM

Department of Manuscripts

Historical MSS.¹ incorporated into the collections during 1969 include:

Precept of Henry I in favour of Battle Abbey; ?1134 (*Regesta Regum Anglo-Normannorum*, ii. 1956, no. 1896). Formerly Phillipps MS. 29079 (Add. Charter 75726).

Charter of King Stephen in favour of Eye Priory; Dec. 1137–March 1138 (*Regesta*, iii. 1968, no. 288). Formerly Phillipps MS. 32925 (Add. Charter 75727).

Map of the Suffolk coast from Lowestoft to Gorleston; early 17th cent. (Add. MS. 56070).

Parliamentary diary of Sir Framlingham Gawdy, M.P. for Thetford, containing notes of proceedings in the Long Parliament, 6–30 Nov. 1640. From the same series of diaries as Add. MSS. 14826, 14827 (Add. MS. 56103).

Correspondence of David Colyear and Charles Colyear, 1st and 2nd earls of Portmore; early 18th cent. (Add. MS. 56080).

Map of an estate in Farnborough, Kent, by James Chadwick; 1725 (Add. MS. 56077).

Map of Gibraltar as surveyed in 1736, showing the defence works projected in 1769 and 1770 (Add. MS. 56092).

Report of John Grundy, engineer, relating to the draining of the Deeping Fens, Lincs.; 1770 (Add. MS. 54784).

Correspondence and papers of Lieut.-Gen. Sir Hudson Lowe, governor of St. Helena, supplementing Add. MSS. 15729, 20107–20240, etc; 1795–1862 (Add. MSS. 56088–56091).

Correspondence of the Rev. Thomas Maurice, Assistant Keeper of Manuscripts in the British Museum 1799–1824 (Add. MS. 56080).

Papers of Macmillan & Co., publishers, of London; 19th–20th cent. (Add. MSS. 54786–56035).

Plans of the estates of Lord Gwydir in Kent; 1809 (Add. MS. 56066).

Accounts and other business papers of Hodgson & Co., book auctioneers, of London; 1825–1964 (Add. MSS. 54480–54723).

Papers relating to the British Museum, from the archives of Messrs. Warrens, solicitors to the Museum; 1848–94 (Add. MSS. 56067, 56068).

Letters of Sir Charles William James Orr, colonial administrator, to Miss E. Levisseur; 1900–14 (Add. MS. 56100).

¹ The inclusion of a MS. in this list does not necessarily imply that it is available for study. Complete lists of the Department's acquisitions are published twice a year in the *British Museum Quarterly*.

Papers of Admiral of the Fleet Sir Arthur John Power (1889-1960); 1905-50 (Add. MSS. 56093-56098).

Correspondence and papers of Sir Sidney Lee (1859-1926) mostly relating to his article on Edward VII in the *Dictionary of National Biography*, and to his biography of the king, supplementing Add. MS. 49685 in the Balfour Papers (Add. MS. 56087).

M. A. F. BORRIE

SCOTTISH RECORD OFFICE

Annual Report of the Keeper of the Records for Scotland for 1968 (1969).

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Bodleian Library: *Reports of the Curators, 1967-8* (1969).

National Library of Wales: *Annual Report, 1968-9* (1969).

COUNTY COUNCIL RECORD OFFICES AND OTHER INSTITUTIONS

A detailed list of historical manuscripts recently acquired by local and other repositories will be found in Historical Manuscripts Commission, National Register of Archives, *List of Accessions to Repositories in 1968* (London, H.M.S.O., 1969).

B. MIGRATIONS

[The following is a select list of historical MSS. recently offered for sale by booksellers or auctioneers. Attention may particularly be drawn to *Bibliotheca Phillippica*, new ser., *Medieval Manuscripts*, pt. v (Sotheby & Co., 25. xi. 1969). References to booksellers' catalogues are by name, number of catalogue, page and number, to auctioneers' catalogues by name, date of first day of sale, and number of lot.]

Miscellaneous Documents.

English before 1603.

Extracts from the rolls of the court of common pleas, c. 1440 with additions. (Sotheby & Co., 10. xii. 1969, no. 39.)

Vere, John de, 13th earl of Oxford: indenture assigning his manors of Badlesmere and Fleet, Kent, and Kensington, Mdx., to John Morton and others for the purpose of carrying out his will, 20 Apr. 1492. (Maggs Bros., no. 920, p. 52, no. 182.)

Collection of legal opinions on the validity of Henry VIII's marriage to Catherine of Aragon, c. 1529. (Sotheby & Co., 24. xi. 1969, no. 134.)

Papers concerning currency, foreign exchange, the royal mint and the wool trade, c. 1550-1555, with additions to 1607. (Sotheby & Co., 25. xi. 1969, no. 482.)

Paulet, William, 1st marquess of Winchester and others: warrant for payment of £20 to John Hambie and William Hamerton for making ledgers for ecclesiastical pension payments, 15 Apr. 1559. (Maggs Bros., no. 920, p. 44, no. 148.)

Paulet, William, 1st marquess of Winchester: document authorizing payments to the queen's messenger Robert Kitcheman, 18 March 1566. (Maggs Bros., no. 920, p. 58, no. 202.)

Cecil, William, Lord Burghley: document authorizing payment of the expense account of William Davison, agent in the Low Countries, Oct.-Nov. 1577. (Sotheby & Co., 3. xi. 1969, no. 253.)

Eliz. I: letters patent allowing Edmund Alleyn to enter into possession of his uncle's estates, 7 June [1589]. (Sotheby & Co., 3. xi. 1969, no. 259.)

English after 1603.

Redford, Thomas: farriery accounts rendered to Charles I when prince of Wales, 1620-1. (Richard Hatchwell, Little Somerford, Chippenham, no. 19, p. [21], no. 74.)

Report of proceedings in the house of lords, 8 Dec. 1697-7 July 1698. (Sotheby & Co., 3. xi. 1969, no. 262.)

Whitehurst, Frederick John, lieut., R.N.: transcript of autobiography, 1798-1815, including account of naval actions and experiences as prisoner of war in France, [c. 1818]. (Sotheby & Co., 3. xi. 1969, no. 293.)

Tallack, William (1831-1908): letters to him about the Howard Association, the abolition of capital punishment, etc. (Sotheby & Co., 3. xi. 1969, nos. 343-51.)

Christie, William Dougal: 70 letters to him from J. S. Mill, 1864-71, on parliamentary reform, etc., 20 from Sir Arthur Helps, 1845-72, 20 from R. M. Milnes, 1st Baron Houghton, on affairs at home and abroad, [1863-4]. (Sotheby & Co., 3. xi. 1969, nos. 277-9.)

Rendel, Stuart, later 1st Baron Rendel: 118 letters to him from statesmen and others, mainly on Welsh affairs, 1880-5. (Sotheby & Co., 3. xi. 1969, no. 288.)

European.

Will of a woman named Raimonda on the eve of her departure for the

Holy Land, 12 Aug. [1168]. (Sotheby & Co., 9. vii. 1969, no. 23.)

France. Napoleon I: reports connected with the administration of Elba, May-Dec. 1814. (Sotheby & Co., 24. xi. 1969, no. 127.)

Italy: c. 200 deeds etc. from religious houses in Faenza, 1134-1759. (Sotheby & Co., 25. xi. 1969, no. 456.)

Innocent IV: bull absolving Franciscans from some duties connected with visitations and supervision, Perugia, 1252. (Sotheby & Co., 9. vii. 1969, no. 24.)

Ghiberti, Lorenzo, sculptor (1378-1455): record of expenditure on his farm at Settimo, 1441-6, continued by his son Vittorio, 1454-92. (Sotheby & Co., 9. vii. 1969, no. 40.)

Spain. Fernando II, king of Leon: two grants, 1159, 1184. (Sotheby & Co., 9. vii. 1969, nos. 28-9.)

British Local.

Glos.: deeds and court rolls of Hill, 14th-18th cent. (Sotheby & Co., 10. xii. 1969, nos. 30-1, 32.)

Kent: 53 deeds relating mostly to properties of the Polhill family in Otford, Shoreham, Chevering, Sundridge, etc., 13th-16th cent. (Sotheby & Co., 9. vii. 1969, no. 18.)

Norf. Edw. III: indenture releasing to Toft Monks priory goods in Warwicks. and Berks., 1374. (Sotheby & Co., 9. vii. 1969, no. 13.)

Norf. Edw. III: letters patent being the exemplification for the city of Norwich of the general pardon granted at his jubilee, 12 June 1377. (Sotheby & Co., 9. vii. 1969, no. 14.)

Suffolk: grant of land in Tattingstone, [c. 1200]. (Sotheby & Co., 9. vii. 1969, no. 16.)

Warwicks. Edw. IV: letters patent rehearsing proceedings at Warwick assizes for recovery of land in Hurley, 9 Nov. 1464. (Sotheby & Co., 9. vii. 1969, no. 15.)

Wilts.: pedigree of Gore family of Alderton, [17th cent.]. (Sotheby & Co., 3. xi. 1969, no. 263.)

American and Overseas.

For the sale of Americana from the Philipps collection, see *Bibliotheca Philippica*, new ser., pt. v, *Americana* (Parke-Bernet, New York, 28. x. 1969).

Chas. I: charter assigning to Sir Duncan Campbell lands in Nova Scotia, 1625. (Sotheby & Co., 17. xi. 1969, no. 383.)

Mason, Robert: sale of the eighth part of New Hampshire to Sir Francis Watson, 8 Apr. 1678. (Parke-Bernet, New York, 28. x. 1969, no. 1090.)

Dunk, George Montagu, 2nd earl of Halifax: 5 letters to Henry Fox on the conduct of the French and Indian War, 1755-6, with other reports and documents. (Parke-Bernet, New York, 28. x. 1969, no. 1014.)

Feilitzsch, Heinrich, K. P. von, lieutenant in the Ansbach Feldjäger: journal of his experiences in the American War of Independence, 1777-80. (Sotheby & Co., 17. xi. 1969, no. 374.)

Thompson, Pishey (1784-1862): journal recording American life and institutions, Washington, Philadelphia and Baltimore, 1819-22. (Sotheby & Co., 17. xi. 1969, no. 375.)

Jamaica: official file of papers concerning the case of Lescene and Escoffery, deported as suspected leaders of a projected slave revolt, 1824. (Parke-Bernet, New York, 28. x. 1969, no. 1035.)

Espinosa, Gaspar de: letter to the Emperor Charles V giving a report on the situation in South America, Panama, 6 Nov. 1535. (Parke-Bernet, New York, 28. x. 1969, no. 1003.)

Buenos Aires: 27 maps and plans relating to the British attacks, 1806-7. (Parke-Bernet, New York, 28. x. 1969, no. 956.)

Sierra Leone: 25 letters concerning the foundation of Freetown, 1791-3. (Sotheby & Co., 17. xi. 1969, no. 387.)

Ewen, David, farmer near Melbourne: 20 letters with information on farming and life in Australia, 1839-50. (Sotheby & Co., 17. xi. 1969, no. 353.)

Ridpath, Edward (1831-1910): transcript of journal-letters written from Australia, 1850-3, including description of gold-mining activities. (Sotheby & Co., 17. xi. 1969, no. 363.)

Strang, Roger R.: c. 100 letters relating to his legal practice in Wellington, N.Z., 1842-60. (Sotheby & Co., 17. xi. 1969, no. 365.)

McLean, Sir Donald (1820-77): collection of private and official letters written to him, dealing with New Zealand life, politics, agriculture and the Maori Wars, c. 1855-1877. (Sotheby & Co., 17. xi. 1969, no. 364.)

McLean, Sir Robert: collection of papers and letters written to him relating to farming, politics and financial affairs in New Zealand, c. 1877-1914. (Sotheby & Co., 17. xi. 1969, no. 366.)

Du Petit-Thouars, Abel Aubert: letter-book containing copies of letters written on an expedition to the Pacific, 1838-9. (Sotheby & Co., 17. xi. 1969, no. 354.)

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The Editor of the Bulletin is PROFESSOR A. G. DICKENS, *Director of the Institute*. It is published twice a year, in May and November. The present price of each number is 15s. From 1971 the price will be £1 for a single number, £2 for the annual subscription, which covers two numbers and occasional Special Supplements.

Forms for subscription or banker's order may be obtained from the Secretary, Institute of Historical Research, Senate House, London, WC1E 7HU. Back numbers for the last two years are obtainable from the Institute. Earlier issues, original or reproduced, may be ordered from Messrs. W. Dawson & Sons Ltd., Back Issues Department, Cannon House, Folkestone, Kent, who will quote prices.

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Particulars of earlier volumes may be obtained from the Secretary, Institute of Historical Research, University of London, Senate House, London, W.C.1. Standing orders for new volumes should be placed with the Oxford University Press, who are distributors for volumes published during the last three years. All other volumes are obtainable through Messrs. Dawsons of Pall Mall, Cannon House, Folkestone, Kent, who are also undertaking the reproduction in photographic facsimile of out-of-print volumes.

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LONDON RECORD SOCIETY

Publications

Vol. 5. **London Radicalism, 1830-1843: a selection from the Papers of Francis Place**, edited by D. J. Rowe (1970).

Vol. 6. **The London Eyre of 1244**, edited by Helena M. Chew and Martin Weinbaum (1970).

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Occasional Publication

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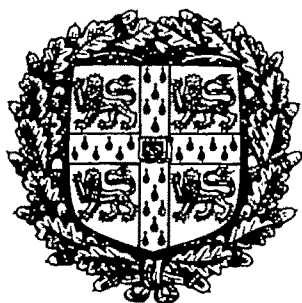
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The Record of Eclipses in the Bury Chronicle¹

IN 1951 Lord Cooper, president of the Scottish court of session, published an address which he had given to the Scottish History Society, entitled 'Solar Eclipses and the Scottish Chronicles'.² His object was to test the accuracy of two twelfth-century chronicles by setting their record of the seven solar eclipses visible during the century beside the true facts, as obtainable from such works as Oppolzer's *Canon of Eclipses*.³ The result was to show that the Melrose chronicle far surpassed the Holyrood chronicle, and Lord Cooper concluded that, if in this way it was the more reliable, it ought to be trusted more in other respects as well. In the course of reading the Bury chronicle, in Dr. Gransden's recent edition,⁴ with a class of undergraduates, one of the present authors found that between 1258 and 1297 it records details of twelve eclipses, eleven being lunar and one solar; and with Lord Cooper's address in mind, he thought it worthwhile to submit the case to the other author, who is a colleague in the department of Astronomy in the same University. The result of the enquiry is given in the present article. It will be simplest to begin with a technical analysis of what actually happened, including some comments on the degree of accuracy achieved by the chronicler. We shall then discuss the general problem of how the chronicler came to make his observations.

Comparison of Table I with Table II and with the individual diagrams for each lunar eclipse shows how remarkably accurate the chronicler's record is.

¹We are very grateful for help at various points from Dr. Antonia Gransden, Professor David Knowles, Dr. Peter Swinbank (lecturer in the History of Science at Glasgow), Dr. D. J. Schöve and Mr. Richard Stones. None of them, of course, is responsible for any of our conclusions. We ought to mention here an article brought to our attention by Professor Knowles: Rachael Lane Poole, 'A monastic star timetable of the 11th century', *Four. Theological Studies*, xvi (1915), 98-104. The observations of the unknown monk who prepared this table were intended to ascertain the correct hour for the night office.

²T. M. Cooper, *Supra Crepidam* (1951), pp. 32-7, reprinted in *Selected Papers*, 1922-54 (1957), pp. 309-23.

³T. R. von Oppolzer, *Canon of Eclipses* (Vienna, 1887, repr. New York, 1962).

⁴*The Chronicle of Bury St. Edmunds 1212-1301* (abbreviated here as *Bury Chronicle*), ed. Antonia Gransden (1964).

All eleven eclipses occurred. Of the seven total eclipses (1, 2, 4, 5, 8, 9, 10) six are correctly described as total (1, 2, 4, 5, 8, 9); for the remaining one (10) the entry is brief. Of the four partial eclipses (3, 6, 7, 11), only one (6) is erroneously described as total. Again partial eclipse 7 was in fact almost total; the chronicler does not record it as total, but his description ('the moon

TABLE I

*Lunar eclipses recorded in the Bury Chronicle*¹

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1. 'On 19 May there was a total eclipse of the moon'. (1258)	24
2. 'In this year, about midnight on Christmas eve, which was a Thursday, there was a total eclipse of the moon; it was blood-coloured for three hours in the night'. (1265)	33
3. 'There was an eclipse of the moon on the night preceding the first day of October'. (1270)	48
4. 'There was a total eclipse of the moon on the night of the feast of St. Clement [23 November]; the moon was so completely eclipsed for nearly two hours that scarcely a trace of it remained visible'. (1276)	62
5. 'There was a total eclipse of the moon on the night of the feast of St. Edward, king and martyr [18 March]; the moon was the colour of blood for nearly two hours'. (1280)	71
6. 'There was a total eclipse of the moon on 7 March'. (1281)	73
7. 'There was an eclipse of the moon on 31 August and the moon stayed the colour of ashes for some time'. (1281)	73
8. 'There was a total eclipse of the moon on the night of the feast of SS. Romanus and Severinus [23 October]'. (1287)	89
9. 'On 11 October there was a total eclipse of the moon, which lasted approximately from midnight to daybreak'. (1288)	91
10. 'There was an eclipse of the moon on 15 February'. (1291)	97
11. 'It should be recorded that on the second night after Palm Sunday [9 April] before matins there was a terrible storm; thunder, lightning, fire[-balls] and hail came in turn with unheard-of violence. The hailstones were immense and astonishing to witness, for their size was as big as a man's thumb. After the night hymns there was an eclipse of the moon and then the storm started again, raging with renewed violence'. (1297)	139

Solar eclipse recorded in the Bury Chronicle

	<i>Page</i>
'There was an eclipse of the sun on Friday, 1 April at the end of the fourth month of the Hegira, ² in the third hour of the day'. (1261)	25

¹ The page references are to the edition cited above, p. 125, n. 4. We are grateful to the editor and the publishers for allowing us to reproduce the translation here.

² This reference to the Hegira is very curious. The Moslem year A.H. 659 began on 6 Dec. 1260. If one adds the number of days in the first four months of the Moslem year (117 days) the result is exactly 1 Apr. by inclusive reckoning. One can only suppose that the chronicler was using tables or other information derived from some Moslem source, and this is an argument in favour of his possessing some means of forecasting eclipses. See below, p. 132. For another use of Arabic chronology in dating eclipses, see *Bury Chronicle*, p. 33.

stayed the colour of ashes for some time') implies that the eclipse was almost total.

The chronicler's dates are accurate. Since an eclipse of the moon can last (from first to last contact) almost four hours, it could begin two hours before midnight, and end two hours after midnight (see eclipses 1, 8, 10).

The description of the totally eclipsed moon as 'blood-coloured' (2), or 'the colour of ashes' (7), is in accordance with experience nowadays; the colour is usually described as 'dull, coppery red'.

Since the chronicler is so accurate with these eleven eclipses, it is of interest to consider all lunar eclipses that occurred during the period from A.D. 1258 to 1297. According to Oppolzer there were sixty-five. Of these, thirty-six were definitely not visible from Bury St. Edmunds, the eclipsed moon being below the horizon. Of the twenty-nine possibly visible, eleven are recorded by the chronicler as being seen (seven total, four partial); eighteen are not recorded (four total, fourteen partial). Of the four total eclipses not recorded (1258, 12 November; 1262, 31 August; 1269, 18 April; 1295, 30 May) mid-eclipse occurred respectively 1 hr. 6 min. after sunset, 3 hrs. 5 min. before sunrise, 1 hr. 3 min. before sunrise and 2 hrs. before sunrise. The altitudes of the moon were respectively 13, 22, 11 and 12 degrees. These four eclipses are, with the exception of the second, in general much lower in the sky than the seven total eclipses recorded. The eclipse of 11 October 1288, recorded at Bury, occurred 1 hr. 2 min. before moon-set, at an altitude of 11 degrees, and is the lowest of the seven recorded. Of the fourteen partial eclipses not recorded, four (1279, 21 September; 1286, 2 September; 1290, 25 February; 1297, 2 October) were poor eclipses, of short duration with only a small slice of the moon's disc eclipsed; the two best, those of 1279 and 1290, at most had one quarter of the lunar diameter eclipsed. Of the remaining ten partial eclipses not recorded, there is no astronomical reason why they could not have been seen; the reason may be meteorological. In summary, the ratio of recorded eclipses to the total number that could have been seen is remarkably large, and indicates a high degree of attention to the sky.

With regard to meteorological reasons for missing eclipses, the following is perhaps relevant. The chronicler on a number of occasions records storms, hail and rain. For example:

1273: 30 March. Persistent rain; floods five feet above the bridge at Cambridge (*Bury Chronicle*, p. 54).

1277: 10-12 October. Downpour, floods (*ibid.*, p. 64).

1280: 2 August. Torrent of rain, floods. Hay and corn washed away (*ibid.*, p. 72).

1283: Persistent rain throughout summer and autumn. 'In this year and in the two previous years the fruit in every garden in England failed almost completely' (*ibid.*, p. 80).

1287: Gale and flooding in the Fens (*ibid.*, p. 87).

1292: From Christmas Eve to 31 December, no celestial bodies were visible, including the sun (*ibid.*, p. 103).

1294: Continuous downpour in August and September (*ibid.*, p. 123).

1297: 9 April. Storm, lightning, thunder, hail (*ibid.*, pp. 139-40).

TABLE II
Lunar eclipses of the Bury Chronicle, as calculated¹

1		2		3		4		5		6		7		8	
Date		Time of mid-eclipse		Half-duration				Time of beginning of		totality		totality		Time of ending of	
yr.	moth.	day	hrs.	min.	partial min.	total min.		hrs.	min.	hrs.	min.	hrs.	min.	hrs.	min.
1.	1258	May	18	22	31	105	34	20	46	21	57	23	05	00	16
2.	1265	Dec.	24	03	41	111	50	01	50	02	51	04	31	05	32
3.	1270	Sept.	30	21	01	97	—	19	24	—	—	—	—	23	38
4.	1276	Nov.	23	02	21	110	49	00	31	01	32	03	10	04	11
5.	1280	March	18	00	42	112	51	22	50*	23	51*	01	33	02	34
6.	1281	March	7	01	19	82	—	23	57*	—	—	—	—	02	41
7.	1281	Aug.	31	02	22	94	—	00	48	—	—	—	—	03	56
8.	1287	Oct.	22	22	42	108	42	20	54	22	00	23	24	00	30
9.	1288	Oct.	11	05	05	100	10	03	25	04	55	05	15	06	45
10.	1291	Feb.	14	22	21	110	49	20	31	21	32	23	10	00	11
11.	1297	Apr.	9	01	12	62	—	00	10	—	—	—	—	02	14

See note 1

See note 2

See note 3

See note 4

See note 5

¹Taken from Oppolzer's *Canon*.

Notes on Table II

1. Column 1 gives the date for the beginning of the eclipse. Dates are with respect to the Julian calendar; times are in 'Universal Time', that is, Greenwich Mean Time. Since the longitude of Bury St. Edmunds is only 42' E., G.M.T. is essentially Bury St. Edmunds time (error of 3 min.).

2. Time given is with respect to a 24 hr. clock (midnight=0 hrs.) and the time given in column 2 is the time at which the eclipse is greatest (that is, mid-eclipse). There is a possible error of a few minutes at the most.

3. Half-duration (partial) is the time it takes the moon to go from M to P in Figure 1. Half-duration (total) is the time it takes the moon to go from A' to P in Figure 1. The eclipse therefore begins (moon's edge touches shadow) at a time given by subtracting the half-duration (partial) from the time in column 2. For example, 1258, 18 May: 22 hrs. 31 min., less 105 min.=20 hrs. 46 min. Totality begins when the moon's disc is totally immersed in the earth's shadow. The geometry for the individual eclipses is sketched in Figure 2, showing how total or partial each eclipse would be.

4. Where an asterisk occurs, the beginning is with respect to the previous civil day, for example, 1280, 18 March: eclipse begins on 17 March, at 22 hrs. 50 min.

5. Column 7 gives the time of the ending of totality, column 8 of the end of the partial phase, and therefore of the whole eclipse.

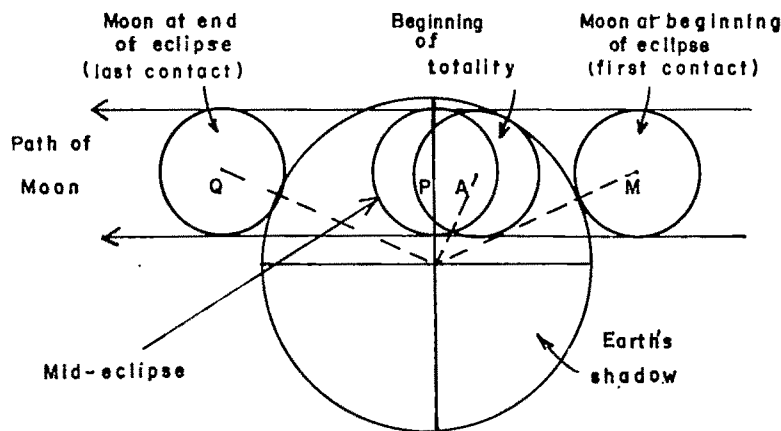


Figure 1. Diagram showing the various stages in an eclipse of the moon.

Considering the above weather, and the likelihood of frequent mists in East Anglia, the high ratio of eclipses seen to possible eclipses is even more remarkable.

The one solar eclipse mentioned¹ did take place as stated. It was a central

¹ It would be too laborious to work out the visibility at Bury of all solar eclipses during the period under investigation. But it is worthwhile to point out that, apart from that of 1261, only three other solar eclipses seem to be recorded in English chronicles, i.e., in 1258, 1263 and 1288, and the first of these must be an error, since it is not in Oppolzer. The darkness during the battle of Evesham, on 4 Aug. 1265 (*Bury Chronicle*, p. 31, and B. de Cotton, *Historia Anglicana* (Rolls ser., 1859), p. 140), is proved by the silence of Oppolzer not to have been due to an eclipse.

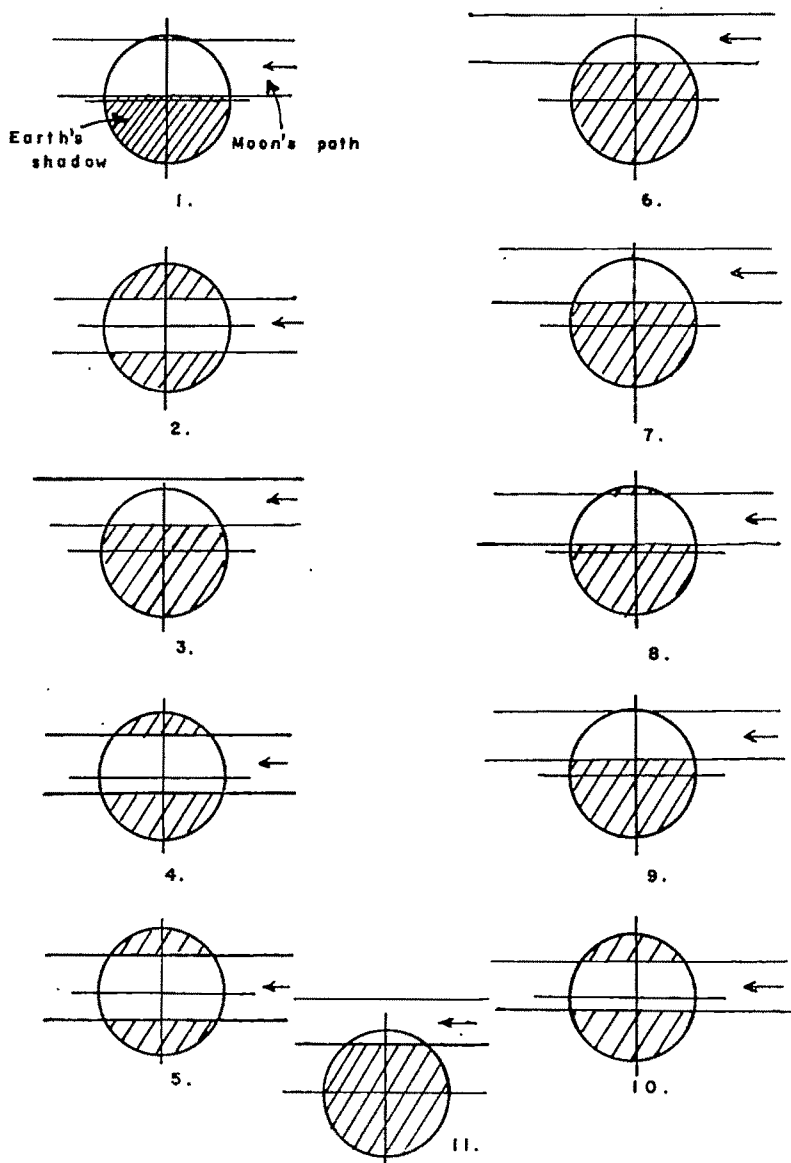


Figure 2. Geometry of the eleven eclipses recorded by the *Bury Chronicle*. The diagonal shading shows the parts of the earth's shadow which did *not* fall on the moon. The total area of shadow in each case is, of course, a full circle.

annular eclipse, mid-eclipse being at 09 hrs. 22 min. G.M.T., 1 April A.D. 1261 (Julian calendar). At Bury St. Edmunds the sun rose on that day at 05 hrs. 40 min. G.M.T. It will be noted that the chronicler describes the eclipse as 'in the third hour of the day'.

The very full record of eclipses in the Bury chronicle raises an obvious practical problem. How did the monastic observer, whether he were the chronicler himself or not,¹ manage to observe so many of them? Something more than casual observation would be necessary, and there seem to be two main possibilities. Either he watched regularly every night when there was a moon to be seen, or he had some means of anticipating eclipses. The former is not, of course, impossible, but the list of times in Table II shows that it would be somewhat inconvenient. Professor Knowles has published details of the monastic *horarium* relating to the tenth century;² if arrangements at Bury in the thirteenth century were not very different, we may assume that the community retired to rest in winter at what we had better here call 1830 hrs., and in summer at about 2015 hrs. Reference to Table II shows that all eleven of the lunar eclipses began well after the hour of retiring. If the observer had no means of anticipating eclipses, he would have had to stay up late every single night for several hours, in order to be sure that he had not missed one. It is possible that he observed some eclipses when the community rose for the night office (which would be at about 0130 hrs. in summer and 0230 hrs. in winter).³ In this way he could have seen something of nos. 4 and 7, and possibly also of nos. 2, 5, 6 and 11. Moreover no. 9, which did not begin until 0325 hrs., might have been noticed between the night office and matins. But it is only necessary to state these facts to make it seem unlikely that so considerable a number of eclipses could have been accurately observed without some rudimentary means of anticipation, and therefore one must consider here what means are likely to have been available.

As it happens, the same question has recently been raised for prehistoric times, because of a suggestion that Stonehenge may have been intended, in part, for the prediction of eclipses.⁴ The interest of this, from the present

¹ Professor Knowles has suggested to us that the observer may have been the sacristan, whose duty it was to keep the official time in the monastery, and, in particular, to arouse the monks for the night office (in the period of the *Regula Magistri*, however, (c. 530), two monks remained awake, so that even if one went to sleep, the other, perhaps (*forte*) would be able to wake the sleeping brethren). See *Regula Magistri* (*La Règle du Maître*), ed. A. de Vogüé (Paris, 1964-5), ii. 171; *Regularis Concordia* [c. 970], ed. P. T. D. Symons (1953), pp. 16, 24, 26; *The Monastic Constitutions of Lanfranc* [c. 1070], ed. D. Knowles (1951), p. 83; *Les Monuments Primitifs de la Règle Cistercienne*, ed. P. Guignard (Dijon, 1878), p. 233. There is some independent evidence to connect William of Hoo, sacristan from 1280 to 1294, with the chronicle from 1265 to 1296; the point will be discussed by Dr. Gransden, in a forthcoming book on historical writing in England. If William of Hoo was the observer, he must have begun his watching before he became sacristan, or have inherited a list of eclipses from 1258 to 1280. We owe the textual references in this note to the kindness of Professor Knowles.

² D. Knowles, *The Monastic Order in England, 940-1216* (2nd edn., Cambridge, 1963), pp. 714-15.

³ *Ibid.*, p. 714.

⁴ The originator of this theory seems to be Professor G. Hawkins; see the editor's note in *Antiquity*, xl (1966), 251-2, and F. Hoyle, 'Speculations on Stonehenge',

point of view, is that eminent astronomers have found no difficulty in believing it to be true of Stonehenge, and therefore *a fortiori* one ought not to think it impossible in the age of the astronomer-king Alfonso of Castile. In general there are two ways in which the predictions might be made: (i) by having a record of eclipses observed in the past, (ii) by some sort of calculation based on tables of the planetary motions.¹ The point of method (i) is that eclipses repeat themselves after a period of eighteen years and eleven days, a period known as the *Saros*, whose existence has been known since the time of the Ancient World. If this method was that used at Bury, one is thrown back on the question of how the list was compiled unless some earlier monk, either at Bury or elsewhere, had carried out observations over a period of nearly forty years. One would prefer to believe that tables were available, and one must ask the question what tables are likely to have been known at Bury in the second half of the thirteenth century.

The most famous medieval astronomical tables are, of course, those of Alfonso of Castile. They seem to have been published in 1252, in Castilian, and to have been available only much later in a Latin text, which appears to have circulated in Paris by the last years of the thirteenth century.² At first sight it may seem very unlikely that this Latin text would be available early enough at Bury to be used there, but one must remember how many unknown factors may have influenced the position. To mention one point in particular, there is the marriage of the future Edward I to Alfonso's half-sister, Eleanor, in 1259 which may have brought to England a manuscript of the tables, or even a Castilian clerk who was knowledgeable in astronomy. Bury was an abbey of which Edward was very fond, and with which he had close connections.³ The use of the curious dating from the Hegira for the eclipse of 1261⁴ is certainly a point in favour of a connection with Spanish astronomers. But even if one cannot credit the theory that the Alfonsine tables were available, the possibility of tables of some sort being at Bury need not be ruled out. In MS. Latin 7272 of the Bibliothèque Nationale there are to be found what have been called the London Tables, which date from the year 1232.⁵ These tables are, beyond doubt, early enough to have circulated as far as Bury by 1258, the year of the first eclipse recorded there. On the whole it seems likely that the presence at Bury of one or other of these tables, or of something similar, made possible the very full and accurate record of eclipses. But the details must be left to be worked out by those who are expert in the history of medieval astronomy. A point of perhaps more general interest to students of the thirteenth century is the additional

ibid., pp. 262-76. See also J. H. Robinson, 'Sunrise and moonrise at Stonehenge', *Nature*, cccxv (1970), 1236-7.

¹ We owe this statement, in essentials, to D. H. Sadler, 'Prediction of eclipses', *Nature*, ccxi (1966), 1119-21.

² P. Duhem, *Le Système du Monde* (3 vols., Paris, 1954), ii. 260.

³ *Bury Chronicle*, pp. xxix, xxxii-xxxiii. Henry III was also a patron of the abbey: *ibid.*, p. xxix.

⁴ Above, p. 126.

⁵ Duhem, iii. 231 ff.

evidence which this record gives of the accuracy of the Bury chronicle. Even before this became available, there were indications that the chronicle was careful and well-informed. For example, the chronicler is very fond of saying where the king spent Christmas, and often reports his presence at specific places on other dates, for instance on the days when relics of one of his favourite saints were translated.¹ On only one such occasion does he seem to be misinformed.² With the evidence of the eclipses also in mind, historians ought perhaps to look more carefully at what the Bury chronicle has to say at any important points where its testimony differs from that of other chronicles.³

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¹ For Christmas see, e.g., *Bury Chronicle*, pp. 82, 86, 90; for translations of relics, *ibid.*, pp. 62, 71-2. We may perhaps add here that the Bury chronicle's account of the transactions at Norham and Berwick, in 1291-2, when Edward presided over the 'Great Cause' for the settlement of the Scottish succession, is, so far as it can be checked from other sources, a singularly accurate one, which seems likely to be the work of an eyewitness (*ibid.*, pp. 98-103).

² *Ibid.*, p. 87, saying that Edward spent Christmas 1286 at Oléron; he was, in fact, at Bordeaux (J. P. Trabut-Cussac, 'Itinéraire', *ante*, xxv (1952), 186).

³ The chief case seems to be in the account of the refusal of the constable and the marshal to serve overseas in 1297. The traditional version, based on 'Hemingburgh' (see *Chronicle of Walter of Guisborough*, ed. H. Rothwell, pp. 289-90) attributes the refusal to unwillingness to go abroad except in the company of the king. The Bury account says nothing of this, and attributes the refusal to unwillingness to 'quit their own country when it was surrounded by so many enemies and leave it deserted' (*Bury Chronicle*, pp. 138-9). This same objection is found in the 'articles' presented by the earls on behalf of the community (*Guisborough*, p. 293), so that it may well be that the Bury chronicle can here correct an error of emphasis, at least, in the traditional account.

The Composition of the King's Council, 1437-61¹

IN RECENT YEARS considerable research has been devoted to the problems of government and administration in the fifteenth century. This research has produced several studies on the nature and functions of the king's council which have substantially modified the interpretations of Stubbs and Baldwin, though confirming their view of the importance of the council in government during this period.² The functions and nature of the council in the reign of Henry VI still present many problems, however, and a detailed study of the working of the council throughout the reign is much needed. This article does not pretend to be such a study. It attempts to analyse the changing composition of the council from the end of the Minority Council in 1437 until 1461, taking up the theme explored by Mr. Kirby and Professor Lander for the reign of Henry IV and Edward IV respectively.³ By so doing it is hoped to lay some of the foundations for a more comprehensive study of the council as an institution, as well as to shed some light on the political history of the period which, in spite of much recent work,⁴ still contains many obscurities. It is not proposed to open this study before the nomination of the council in 1437, for the composition of the council during the first fifteen

¹ I should like to thank Professor J. R. Lander and Dr. A. Hassell Smith for helpful criticism of an earlier draft of this article.

² J. F. Baldwin, *The King's Council in England in the Middle Ages* (Oxford, 1913); W. Stubbs, *The Constitutional History of England* (5th edn., 1898), pp. 254-62; T. F. T. Plucknett, 'The place of the council in the 15th century', *Trans. Royal Hist. Soc.*, 4th ser., i (1918), 157-89; J. R. Lander, 'The Yorkist council and administration', *Eng. Hist. Rev.*, lxxii (1958), 27-46; 'Council, administration and councillors, 1461 to 1485', *ante*, xxxii (1959), 139-80; J. L. Kirby, 'Councils and councillors of Henry IV, 1399-1413', *Trans. Royal Hist. Soc.*, 5th ser., xiv (1964), 35-65; B. Wilkinson, *Constitutional History of England in the 15th Century, 1399-1485* (1964), pp. 214-54; Wilkinson, 'Fact and fancy in 15th-century English history', *Speculum*, xlii (1967), 673-92; A. L. Brown, 'The Commons and the council in the reign of Henry IV', *Eng. Hist. Rev.*, lxxix (1964), 1-30; Brown, 'The king's councillors in 15th-century England', *Trans. Royal Hist. Soc.*, 5th ser., xix (1969), 95-119. Dr. Brown's latest paper appeared some time after the acceptance of this article for publication and I have not attempted to take up all the points he makes, save on one or two details. It will be sufficiently obvious where we disagree in interpretation. Like Dr. Brown I cannot fully accept Professor Wilkinson's interpretation of some important council documents of the period, but I think I am in general agreement with some of the views he expresses concerning the role of the magnates in the 15th-century council.

³ Kirby, *ubi supra*, pp. 35-65; Lander, 'Council, administration and councillors', pp. 139-80.

⁴ E.g. R. L. Storey, *The End of the House of Lancaster* (1966); J. R. Lander, 'Henry VI and the duke of York's second protectorate, 1455 to 1456', *Bull. John Rylands Libr.*, xliii (1960), 46-69; C. A. J. Armstrong, 'Politics and the battle of St. Albans', *ante*, xxxiii (1960), 1-72.

years of Henry's reign is easily ascertainable from the lists of members proclaimed from time to time in parliaments and great councils and from the clerk's journal of some of the council's proceedings.¹ From 1437 both its composition and its place in the government of the country fluctuate more widely. Dr. Storey has shown that Henry's minority may in practice have come to an end during 1436, but the constitutional arrangements made at the great council of 1437 mark the king's formal assumption of control over the council's composition: the council lost its supreme authority and reverted to the active but necessarily subordinate role that it had played under the first two Lancastrian kings.

The sources for a study of this sort are diverse and fragmentary: most of them were used by Baldwin but, in regard to composition and attendance, not in a systematic way. The minutes of the council printed by Nicolas cover only certain short periods between 1437 and March 1444, with one later fragment of July 1446.² There is no certain evidence that a formal journal was kept, at least after 1444: Baldwin thought that the gap after 1435 and the absence of any record after 1446 was indicative of the 'disintegration of the Council' in these years, and believed that a reference in the 1455 parliament roll to the 'Book of the Council' indicated an unsuccessful attempt to revive a formal record during the protectorate of Richard, duke of York.³ Yet it is possible that the gaps may be due to loss and destruction rather than to the failure to keep such records: after all, only late sixteenth-century copies prove that minutes were kept under Henry VII.⁴ There also exist two sixteenth-century copies of fragments of the lords' proceedings in the parliament of February 1449 which are closely related to the form of memoranda of the council kept in the fourteen-twenties.⁵ The existence of such fragments from lost journals suggests that council minutes may also have been lost. The payments made to councillors between 1454 and 1458, with deductions for days absent, also suggest that some record of attendance may have been kept, at least during those years.⁶

In the absence of a journal the main sources for the composition of the council between 1437 and 1461, apart from a few lists of members,⁷ are those warrants to move the great or privy seals which are endorsed or

¹ *Proceedings and Ordinances of the P[ri]v[ate] C[ouncil] of England*, ed. N. H. Nicolas (1834-7), vols. iii-v. For examples of formal lists see iii. 148, 213; and *Rotuli Parliamentorum*, iv. 175, 201.

² *P.P.C.*, v *passim* and vi. 16-19, 28-9, 50-9; and see v, pp. i-iv, vii-x. The originals are mostly in British Museum, Cotton MS. Cleopatra F. iv fo. 92 *et seq.* and F.v fos. 1-129. The minutes from 20 Oct. 1441 to 3 March 1443 (fos. 1-112) are not rough drafts, but are clearly a formal record, though admittedly not so neatly written as the journal of 1421-35.

³ Baldwin, pp. 391-2; *Rot. Parl.*, v. 282-3.

⁴ *Select Cases in the King's Council of Henry VII*, ed. G. G. Bayne and W. H. Dunham (Selden Soc., lxxvi, 1958), pp. xii-xvii.

⁵ A. R. Myers, 'A parliamentary debate of the mid-fifteenth century', *Bull. John Rylands Libr.*, xxi (1938), 388-404; Brit. Mus., Lansdowne MS. 229 fo. 17d.

⁶ See below p. 139.

⁷ See Appendix A.

minuted with the names of councillors present when particular decisions were made. Some hundreds of such warrants survive for this period in the records of the exchequer and chancery and among the transcripts printed by Nicolas, and it is possible to construct from them, as Mr. Kirby did for the reign of Henry IV, a table of attendance at those council meetings which produced them.¹ Unfortunately these warrants do not for several reasons compensate for the absence of the journals. First, there is by no means an even spread of surviving council warrants through the period: there are very few for the last years of the reign, and long gaps in earlier years, particularly after 1441, whilst only a minority of those that do exist bear the names of councillors present.² On the other hand large groups of such warrants survive from certain weeks, when, perhaps, a great council was in session or a small group of councillors were clearing up outstanding business after the end of term.³ The second unsatisfactory feature of the warrants for this purpose is that, as Dr. Brown has pointed out, they are for the most part records of administrative business done, much of it quite trivial, and not of 'political' decisions taken.⁴ This probably weights the evidence of attendance in favour of the 'officials' on the council; but it does mean that a fairly accurate picture is obtainable of the councillors who did the detailed day-to-day work of government. A third, more crucial objection is that on many of the warrants the clerk, after giving a list of councillors present, adds the words 'et aliis' and on a few 'et multis aliis'. If this means anything it presumably signifies the presence of men of lesser rank than those named on the warrant; often, perhaps, men who were not formally members of the council.⁵

¹ For this article, besides the documents printed in *P.P.C.*, the whole of the classes of Chancery Warrants of the Council, Public Record Office, C 81/1545-6, and Exchequer Warrants, Council and Privy Seal, P.R.O., E 28/58-88, for the period have been searched. Other similar documents with names have been found among the Ancient Petitions in the P.R.O. and in *Foedera*, ed. T. Rymer (1704-35), vol. xi. No doubt more prolonged search would bring to light other warrants among the petitions and elsewhere, but it is unlikely that they would substantially alter the picture presented here. Documents cited in the footnotes below are all in the Public Record Office unless otherwise noted.

² The council ordinance printed by Nicolas and usually ascribed to the year 1444, but more likely derived from several years earlier (*P.P.C.*, vi. 316-20), prescribes the signing of all warrants by those present, but, save for the period of York's protectorate, few signed warrants survive for this period. It seems unlikely that this was due entirely to the loss of the original drafts: more probable that the procedure was neglected after the early 1430s.

³ E.g. more than 20 such warrants exist for May 1439, nearly 30 for 11-30 Nov. 1441, etc.

⁴ Brown, 'The Commons and the council', p. 7.

⁵ On 13 July 1439 Adam Moleyns, clerk of the council, notes on one warrant that there were present the chancellor 'et multis aliis': on another of the same date he notes the presence of the chancellor, Gloucester, Northumberland, Suffolk, Cromwell and Tiptoft, and omits the words 'et aliis'—E 28/62/66, 70, 72. This may imply inconsistency in minuting on Moleyns's part, or that the chancellor arrived earlier in the morning than the lay magnates.

There are two other difficulties in the use of these warrants. The first is the tendency, very common after 1437, for warrants to the privy seal to be witnessed by members of the king's household. Most of these were warrants of grace within the king's prerogative, and were witnessed for further security or as evidence of sponsorship. But it is not always clear whether, for instance, the earl of Suffolk is witnessing as a councillor or as steward of the household. Dr. Brown implies that such warrants should be regarded as council warrants and that, therefore, courtiers such as John Say and Sir Edmund Hungerford who witness them should be seen as councillors. There can be no doubt that the king increasingly took advice from courtiers during the fourteen-forties but it is clear that such men were not seen as members of the council and that Adam Moleyns who writes many of these warrants does not do so as clerk of the council.¹ For purposes of the statistics given below all warrants witnessed by the steward or chamberlain of the household with one or two courtiers have been ignored.

The last difficulty is also one of definition. The distinction between meetings of the continual council and of the great council, though, by the fifteenth century, quite clear to contemporaries, is not always easy to make from the surviving records. Stubbs suggested that great councils might be regarded 'either as extra-parliamentary sessions of the house of lords or as enlarged meetings of the royal council'.² The lords' view seems to have been that the royal council was, rather, a standing committee of the great council which itself might be summoned in or out of parliament. The council declaration of 1427 makes this view of the relationship between the great and continual councils quite clear. During the Minority, it asserts, the king's authority belongs to the lords assembled in parliament or great council; when these are not in session it belongs to the continual council.³ In 1437 the supreme authority of the lords ended but when the king reappointed the continual council he did so in a great council and accepted the rules for the council laid down by parliament under Henry IV.⁴ The idea that the continual council was in some measure responsible to the lords in parliament or great council as well as to the king was revived during York's protectorates but, never being acceptable to an adult monarch, it thereafter disappeared. Because of this close relation between the councils, the records and warrants of a great council succeed those of the continual

¹ Brown, 'King's councillors', p. 112. Examples of household witnesses to documents of the sort often passed by the council are E 28/63/42 and E 28/66, 1 Dec. 1440. Evidence of sponsorship of bills can be seen in E 28/62/5 and *P.P.C.*, v. 266 (by Adam Moleyns), and E 28/66/25 (by the duke of York and the bishop of Rochester).

² Stubbs, iii. 262. Mr. Kirby's definition (*ubi supra*, p. 35) is similar.

³ *P.P.C.*, iii. 233-4. And see T. F. T. Plucknett, 'The Great Council in the Fifteenth Century', London M.A. thesis, 1917, especially p. 104; and in *Trans. Royal Hist. Soc.*, 4th ser., i. 172-3. In Oct. 1437 the chancellor asserted that it was customary to hold a great council at the beginning of every fiscal year, but there is little other evidence for such a practice—*P.C.C.*, v. 65.

⁴ *P.P.C.*, v. 71-2.

council without any obvious break in form.¹ And, as a large number, sometimes all, of those lords present near the beginning or end of a great council were members of the continual council, whilst the exact dates of great councils are rarely known, and their functions often indistinguishable in the surviving records, it is often difficult to tell from which of these bodies a warrant derives. At Westminster the clerk often notes whether the meeting was held in the great council chamber of parliament (the White Chamber), when it was certainly a great council meeting, or in the Star Chamber, when it was normally a session of the continual council, but such distinctions are not always made.² For purposes of this article it has been necessary to distinguish and exclude from the statistics meetings of the great council where these can be defined by direct evidence or inferred by evidence of attendance.³

A further source of information for the composition of the council and attendance of its members is the records of payments made to them for their service.⁴ The idea of regular wages to councillors for attending councils, as distinct from rewards at the king's discretion, is associated with the rise of the baronial council in the early years of Richard II and is a feature of the council under Henry IV, during the minority of Henry VI and again in 1454-5.⁵ Such wages encouraged the magnates to attend regularly and perhaps, as Fortescue hoped, made them less liable to corruption and self-seeking. During the Minority various provisions were made for regular salaries with deductions for non-attendance:⁶ the scale laid down under Henry IV—300 marks to each archbishop, 200 marks to each bishop or earl, 100 marks to each baron and £40 to each squire—was generally observed, though Gloucester, as Protector, got much more, and in 1433 a number of the bishops agreed to serve during term-time without payment.⁷ Bishop Beaufort was granted £50 a year as councillor in 1436 but when the

¹As Baldwin, p. 199, points out. Nevertheless Baldwin confuses the two bodies excessively. Even in 1454 it is normally possible to distinguish their composition and activities.

²Occasionally other chambers were used at Westminster, e.g. the Exchequer Chamber (E 28/62/62) and the Green Chamber (*P.P.C.*, v. 153). The distinction of location and composition between the continual council and the great council comes out clearly in meetings of 25 May 1443, when the 'inner group' of the council—Beaufort, Kemp, Suffolk and Cromwell—met in the king's 'Secret Chamber' to agree on the repayment of a loan from Cardinal Beaufort; later in the day the consequent letters patent were read in the council chamber of parliament before 13 lords—*P.P.C.*, v. 279, and cf. pp. 269-71.

³With certain exceptions noted below.

⁴These are to be found in the Issue Rolls and Warrants for Issues of the Exchequer—E 403, 404.

⁵Baldwin, pp. 121-3, 159-60, 174-5, 198-9.

⁶*P.P.C.*, iii. 154; Baldwin, pp. 174-6. The councillor had to account at the exchequer, giving details of his attendance at council meetings. Such accounts exist for Bishop Stafford, Cromwell and Suffolk—E 101/96/19-20, 26; and enrolled accounts for a number of other councillors—E 364/69-72.

⁷*Rot. Parl.*, iv. 374, 436, 446.

king formally re-appointed the council in November 1437 no bishop, save the chancellor, Stafford, was among those councillors to whom wages were then granted.¹ Twelve councillors received grants of wages for life in November 1437, together with the earl of Devon, not a councillor, who was granted £100 a year for good services. During the fourteen-forties, however, only Lord Cromwell, together with the chancellor, Lord Sudeley and Bishop Lumley (Cromwell's successors as treasurer), Archbishop Kemp who was granted a £200 annuity as councillor in July 1438, Lord Dudley and Adam Moleyns, appear to have received regular wages from the exchequer.² Of the others the duke of Gloucester, the earls of Salisbury, Suffolk and Northumberland, Lords Hungerford and Tiptoft and Sir John Stourton were granted estates or assignments of revenues to the extent of their salaries, with deductions in some cases for fees derived from their other crown offices.³ Thus exchequer records are of very limited value in estimating the composition and attendance of the council until the last years of the reign when there is evidence of payments made to fourteen of the twenty-five councillors appointed during York's protectorate in 1454, and to several others.⁴ It is not clear why others members of the appointed council were not paid, as there is no evidence that they commuted their wages into land or assignments—perhaps there was again some self-denying ordinance: certainly there is no complete correlation between those who were paid and those who normally attended the council meetings for which records survive. From Easter 1456 warrants include statements of how much was to be deducted from the standard salary for absence from council meetings, and this is of some assistance in estimating attendance in the last years of the reign.⁵

One other possible source of information for the composition of the council in this period is lists of witnesses to royal charters that appear on the charter rolls.⁶ It is certain that the witnesses were not necessarily—or even normally—present at the formal dating of the charter, but Dr. Storey believes that appearance as a witness does imply membership of the council at the appropriate time.⁷ A comparison of these witness-lists with the details of membership and attendance shown in Appendix A and B, confirms, indeed, that the holders of state and major household offices were the most consistent attenders at councils and also most frequently witnesses to charters, but there are major discrepancies. Between 1437 and 1443, for

¹ *P.P.C.*, v. 72; vi. 312-15.

² E.g. for 1448-9, E 403/773 m. 2, E 403/775 m. 3. In 1447 Lumley received £600 for services as warden of the West March and for earlier attendance at councils—E 403/775 m. 5, E 404/65/78, E 404/63/158.

³ *C.P.R.* 1436-41, pp. 70, 133, 144, 162, 182, 189, 193-4, 289; *C.Cl.R.* 1441-7, p. 413.

⁴ See below, p. 153.

⁵ Such warrants exist for payments to 4 councillors: see below p. 153, n. 4. No doubt, as during the Minority, deductions were only made for absence during term-time.

⁶ *C* 53/187-90.

⁷ Storey, p. 134. Cf. Kirby, *ubi supra*, pp. 44-5.

instance, Archbishop Chichele witnessed almost every charter, but, though certainly a councillor, was very rarely present at councils, whilst there is no evidence that the duke of Norfolk, who witnessed two-thirds of the charters, was a member of the council. Similar discrepancies exist for other periods. It seems likely that the witnesses were normally drawn from those lords present or near the court, usually officials or members of the household, but that the need to maintain a balance in the peerage ranks on the list necessitated the use of, for example, Norfolk's name with Gloucester's when York, the only other duke, was in France.¹ Thus the lists cannot be used as reliable evidence for council membership, but the main results of an examination of the lists have been appended in footnotes to the analysis of the council's composition in each period.

In order to appreciate the implications of changes in the composition of the council between 1437 and 1461 it is necessary to divide the twenty-four years into smaller periods. In his analysis of the council under Henry IV Mr. Kirby subdivided the reign according to who filled the office of chancellor. This would not be a useful method for the period 1437-61, as Bishop Stafford held the great seal until 1450 through considerable political changes, and although changes in this office between 1450 and 1461 have political significance they do not regularly coincide with shifts in the attitude and composition of the council. The period is, however, conveniently divided into seven phases by the political revolutions which transformed the government of the country on a number of occasions and the lengthy gaps in the sources for the composition and attendance of the council which have already been referred to. The details of attendance within these sub-periods appear in Appendix B: what follows is a commentary upon them.

Records of attendance at council meetings in the fourteen-thirties are to some extent distorted by the absence in France and on embassies of a number of councillors, but the surviving records of the last year of the Minority Council, between November 1436 and November 1437, show that of the twenty-two members of the council nominated in the parliament of 1426 fourteen were still fairly regularly attending council meetings: the duke of Gloucester, the earls of Huntingdon, Warwick, Stafford and Northumberland, Archbishops Chichele and Kemp, Bishops Beaufort, Stafford and Alnwick and Lords Cromwell, Scrope, Hungerford and Tiptoft. Of the others the duke of Bedford, the earl of Salisbury, Lord Bourghier and Bishops Gray and Morgan were dead and the aged Bishop Langley had been excused further attendance in 1433.² In addition the earl of Suffolk, steward of the household, William Lyndwood, keeper of the privy seal, and Sir William Phelip, chamberlain of the household, were all attending council meetings during 1436 to 1437.³

¹ At time of great councils the names of a variety of other lords sometimes appear on the lists, e.g. C 53/188 m. 32.

² *Rot. Parl.*, iv. 446.

³ Here and hereafter references to offices held are taken, unless otherwise noted, from *Handbook of British Chronology*, ed. F. M. Powicke and E. B. Fryde (2nd edn.,

On 13 November 1437 the king announced in a great council at London the names of a new 'prive counseill' to serve him during his recently attained majority.¹ Of the seventeen who had been attending during the previous year fifteen were included: only Warwick, who in August had taken up his post as lieutenant in France, and Scrope were omitted. There were four additions to the list: the earl of Salisbury, recently returned from France, Bishop Rodburn of St. Davids, a former king's clerk and chaplain and an ambassador at the Congress of Arras in 1435, and the two courtiers, Robert Rolleston, keeper of the great wardrobe, and Sir John Stourton, whose presence is, perhaps, significant of revived household influence and the new part to be played by the court in the government of the country. The omission of Scrope may have been due to absence from England and he certainly attended from July 1439, but the failure to appoint this most consistent supporter of the duke of Gloucester, together with the absence from the list of the duke of York, who had just returned from France, may be seen as signs of further entrenchment of the Beaufort group now favoured by the young king. On the new council only Gloucester, Huntingdon and Archbishop Chichele, who was now through age and the dominance of his old rival, Beaufort, of little importance, were outside the Beaufort sphere. But the next years were to see a new polarization of forces as Beaufort withdrew from politics and his friends either became more closely associated with Suffolk and the court or, losing influence, drifted into opposition to them.

During the first period, from 1437 to July 1443, there were, however, comparatively few changes in the council and it continued to govern, in spite of the growing maturity of the king and the increasing influence of his friends in the royal household. Three of those appointed in November 1437—William Phelip (Lord Bardolph), Bishop Rodburn and Lord Tiptoft—died during these years;² and there were additional members in Lords Scrope and Fanhope, who were attending councils by October 1440, Viscount Beaumont and Bishop Ayscough, who attended occasionally from October 1441, and Adam Moleyns, clerk of the council, styled 'counsailleur' by February 1443.³ Attendance at council meetings fluctuated considerably, but rarely rose above twelve, save for a few important meetings.⁴ From

1961), references to episcopal appointments from J. Le Neve, *Fasti Ecclesiae Anglicanae 1300-1541* (new edn., 1962-7). Suffolk was co-opted to the council on 30 Nov. 1431—*P.P.C.*, iv. 108. This seems to have been the last formal appointment to the council during the Minority. Baldwin seems to be incorrect in adding Robert Rolleston and Sir John Stourton to the council in 1436: Rolleston attended only one meeting before Nov. 1437 and Stourton meetings of the great council only. The ordinance of 1437 explicitly states that Salisbury, Stourton, Bishop Rodburn and Rolleston were to be added to the former council—*P.P.C.*, v. 71.

¹ *P.P.C.*, vi. 312-13; *Rot. Parl.*, v. 438-9.

² In June 1441, early 1442 and Jan. 1443 respectively.

³ Bishops Bourghier and Lumley were also occasionally present.

⁴ On 14 Oct. 1441, 15 councillors were present to take an important decision about Calais—*P.P.C.*, v. 153.

Appendix B it can be seen that apart from the three great officers of state, by far the most consistent attender was Suffolk, whose growing influence is illustrated by and was perhaps partly the result of his assiduous attendance at council meetings during these years.¹ Cardinal Beaufort's attendance became increasingly sporadic with age. By 1443 he was rarely present, but his policies were safe in the hands of Suffolk, Cardinal Kemp, and the two great officers, Stafford and Cromwell. Of the other ecclesiastics only Bishops Alnwick and Ayscough were present on more than a handful of occasions. Perhaps the most significant conclusion to be drawn from the figures is that the great lay magnates were still assiduous in their attendance at council meetings: considering that Stafford and Huntingdon were out of the country for lengthy periods and that Salisbury and Northumberland had considerable responsibilities and interests in the North, the frequency with which they, with Gloucester and Suffolk, attended council meetings in these years is remarkable. The same tendency, to a slightly lesser extent, appears among the barons of the council: Hungerford, Tiptoft, Scrope, Fanhope and, of course, Cromwell, the treasurer, each attended more frequently than any of the bishops, save Beaufort, Stafford and Kemp and, indeed, more frequently than the household officials.² The diligence shown by the lay magnates in the work of the council clearly illustrates the continuing tradition of the formal 'representative' council of the Minority and makes its full revival during York's protectorate in 1454 more comprehensible.

The surviving council minutes illustrate the variety of important business that came before it, ranging from the drawing up of negotiations with the French and appointments to high offices, to punitive action against rioters in Norwich and Yorkshire. It is probable, indeed, that major matters were discussed at smaller meetings of Beaufort's chief supporters before coming to full council.³ Gloucester complained in 1440 that the council often met at Beaufort's home and that the two cardinals had all 'the governance' of the king and kingdom, excluding himself, York, Huntingdon and Chichele from the great affairs of the realm.⁴ There is some confirmation from the council records of the former charge⁵ and, no doubt, some truth in the latter, but it was still, during these years, in the council that most of the important

¹ Nothing could be further from the truth than Baldwin's assertion that 'Suffolk did not frequently show himself in the Council' (p. 190). In fact his attendance became increasingly assiduous in these years: between Nov. 1437 and May 1441 he was noted as present at about 37 per cent of meetings where attendance is recorded; between Oct. 1441 and July 1443 at 66 per cent.

² The evidence of the charter witness-lists would suggest that Archbishop Chichele and the duke of Norfolk were also assiduous attenders, but for reasons given above this evidence is unacceptable. Otherwise, they generally agree with the pattern of attendance here described.

³ See p. 138, n. 2; and cf. the meetings at Sheen in Aug. 1442—*P.P.C.*, v. 196-8.

⁴ *Letters and Papers Illustrative of the Wars of the English in France*, ed. J. Stevenson (Rolls Ser., 1861-4), II. ii. 440-7.

⁵ In 1438-40 there are a number of references to meetings held at the cardinal's house at St. Mary Overey—e.g. E 28/59/30-1, E 28/61/5, 8 etc., E 28/63/77.

decisions were finally made and attendance at its meetings was both necessary and rewarding to its baronial members.

The summer of 1443 saw a number of changes in the government and the seeming final victory of the Beaufort group now impregnable in the king's trust. The dispatch of the duke of Somerset to Aquitaine with an independent command was accompanied by the final decision to drop the plan for Henry's marriage with a daughter of the count of Armagnac in favour of serious negotiations for a marriage with Margaret of Anjou, leading to peace with France. On 25 June John Stafford, bishop of Bath and chancellor since 1432, was translated to the see of Canterbury in succession to Chichele. On 7 July Sir Ralph Butler, Lord Sudeley, chief butler since 1435 and chamberlain of the household since 1441, succeeded Cromwell as treasurer of England. Two weeks later Thomas Bekynton, the king's secretary and already nominated to succeed Stafford as bishop of Bath, became keeper of the privy seal. The most important of the changes, Cromwell's surrender of the treasurership, seems to have taken place amicably and was due, it was emphasized, to sickness and 'for noon other causes'. Dr. Storey's assumption that he resigned because he objected to the large advance of wages for Somerset's expedition may be correct but it is not confirmed by contemporary sources, and Cromwell was rewarded by a special annuity of 200 marks as councillor.¹ But his replacement by Sudeley, who continued to hold his court offices, illustrates the growing power of the household headed by its steward, Suffolk, whilst the appointment of Adam Moleyns to succeed Bekynton as keeper of the privy seal in February 1444 is another sign of the infiltration into high office of men dissociated from the Minority Government and the policy of war with France.²

These changes coincide with the end of the surviving council minutes: consequently it becomes much harder to estimate the volume and nature of council business. It is necessary to repeat that the council warrants, which survive in some number for the next three years, give a one-sided picture of the council's activities, emphasizing, as they do, administrative action rather than political decision. In 1450, for instance, Suffolk asserted that all the decisions for which he was criticized, such as the truce of Le Mans, the Anjou marriage and the surrender of Maine, were taken by the whole council, but there is no evidence of such decisions being taken at formal council meetings, though the first two actions were ratified by parliament. Other evidence suggests that an increasing number of important decisions during the years 1443 to 1446 were being made outside the council by Beaufort, Suffolk and their friends.³ That the council was, however, still

¹ *P.P.C.*, v. 298. Storey, p. 72. E 403/778, 12 Dec.

² It is probably no coincidence that Bekynton, who had been so closely associated with the Armagnac marriage negotiations, should give way at this point to Moleyns, who was at once to be sent to France in connection with the Anjou marriage and was to show himself the strongest supporter of a *rapprochement* with France.

³ This is suggested by the accusations against Suffolk in 1450 and also by the French account of the negotiations of 1445—*Rot. Parl.*, v. 178-80; *Wars of the English in France*, i. 89-159.

a major factor in government is clear both from its formal composition and from the pattern of attendance that examination of the warrants reveals. On 17 December 1446 a letter under the privy seal was sent to twenty-five men ordering them, as members of the council, to be present at a council meeting on 24 January.¹ This list includes all the councillors of the period from 1437 to 1443 except Cardinal Beaufort, now in extreme old age, and Archbishop Chichele, Bishops Rodburn and Lyndwood, Lords Tiptoft, Bardolph and Fanhope, all of whom had died.² To these had been added the duke of York, the marquess of Dorset, Bishops Ayscough, Lowe, Bekynton, Lyhart and Lumley, Lord Dudley, Lord Sudeley and the abbot of Gloucester. The attendance records show that Bishop Browns of Norwich was also frequently present from 1443 until his death in December 1445, and Viscount Beaumont was also often present: both were clearly councillors. On the other hand the duke of York appears to have been present on only one occasion after his return to England in 1445.

The increase in the episcopal element on the council is a notable feature of this list, but as yet this was not pronounced in terms of actual attendance. In general, attendance at council meetings during these three years had declined substantially from the earlier years of the king's maturity. There were, of course, considerable fluctuations but the mean figure, 4.5, shows a marked falling-off. The tables show a decline in the attendance of the lay magnates, of whom only Suffolk and Stafford (duke of Buckingham from September 1444) attended more than one meeting in six, and no improvement in that of the bishops, of whom only Kemp and Browns attended at all frequently. These four, together with the great officers and Lords Dudley and Cromwell, dominated council meetings. Cromwell, indeed, might, since July 1443, be almost termed a 'minister without portfolio'. Cardinal Beaufort's position was still, however, very strong as can be seen from the occasion in December 1443 when the council sent to obtain his approval, as well as the king's, for a decision they had already taken.³ The decline in the regularity of attendance by the magnates may have been partly due to the loss of power of the council in these years, and in particular to the decline in the amount of patronage under its control. There is no reason to think that these developments in themselves caused great resentment but, as in the thirteen-eighties, there was undoubtedly anger at the growing influence of those close to the king—members of his household and personal friends—who not only seemed to be usurping the advisory role of the council but also securing a wholly disproportionate share of the royal patronage. And this feeling became more acute, not only among the barons but also among the populace at large, during the three years of Suffolk's dominance that succeeded the fall of Gloucester in January 1447.

¹ E 28/77/14—see Appendix A.

² The list includes Robert Rolleston, though he had resigned his keepership of the great wardrobe in Oct. 1444—E 361/6 rot. 1.

³ *P.P.C.*, v. 18-19.

The summons to the twenty-five members of the council on 17 December 1446, probably to prepare for the ensuing parliamentary session and perhaps to discuss possible action against Gloucester (though he was among those summoned), marked the beginning of an internal revolution: it is, significantly, the last such list of the continual council to exist until the period of York's protectorate. The overthrow of Gloucester was preceded by important changes in office-holding: at Michaelmas 1446 Sir John Stourton replaced Sir Roger Fiennes as keeper of the wardrobe of the household and Sir Thomas Tuddenham, Suffolk's follower, became keeper of the great wardrobe,¹ whilst on 18 December Sudeley was replaced as treasurer by Marmaduke Lumley, bishop of Carlisle, a kinsman of the Beauforts. Gloucester's death was followed by a series of changes in household offices: Suffolk handed over his key office of steward of the household to Sudeley on 3 February 1447, clearly in anticipation of his receiving the office of lord great chamberlain previously held by Gloucester.² Sudeley's office of chamberlain of the household was filled, no doubt on Suffolk's nomination, by James Fiennes, a squire of the body, who was created Lord Say in the same month. The changes illustrate not only Suffolk's triumph but also his self-confidence, which allowed him to surrender the post which had brought him so much influence and was the practical basis of his power.³

The consolidation of Suffolk's supremacy, confirmed by the death of Beaufort in July 1447, virtually ended the independent role of the council. Its composition during the next three years can only be deduced from actual records of attendance, which are considerably fewer than for the previous period.⁴ The mean average attendance continued at about five. Once again the chancellor was nearly always present, and the successive treasurers, Bishop Lumley and, from 18 September 1449, Lord Say, usually so, but Moleyns, the keeper of the privy seal, was abroad for much of the time and attended comparatively rarely. Of the others the only men who attended with any consistency were the two old 'civil servants', Cardinal Kemp and Lord Cromwell, together with Bishops Waynflete and Lyhart, the abbot of Gloucester and, of the magnates, only Suffolk and Buckingham. These, with Bishops Lowe and Bourghier and Lords Dudley, Stourton and Sudeley, clearly comprised the working council. The poor attendance of the lay magnates is striking: most recorded meetings of the continual council were composed entirely of officials and prelates. The absence of

¹ *C.P.R.* 1446-52, p. 4.

² Baldwin (p. 191) confuses this office and its duties with that of the chamberlain of the household.

³ His successor, Sudeley, was experienced both as soldier and courtier. He does not seem to have been closely associated with Suffolk's regime and did not come under attack in 1450 as did Lord Say, whose position was totally dependent on his court connection, which brought him great rewards in the next three years.

⁴ As earlier, many warrants continue to be minuted 'per avisamentum consilii', but include no names. It is very rare for the council's part in confirming the warrant to appear on the Patent Roll entry during this period except during York's protectorate: cf. Lander, 'The Yorkist council and administration', pp. 37-42.

Northumberland, formerly a most diligent attender, can perhaps, as Baldwin suggests, be put down to the quarrel with Kemp and his riotous behaviour in 1443: he certainly rarely attended thereafter. But the continued absence of the northern earls was more likely due to the increasingly critical situation on the Scottish border, combined with a feeling of their powerlessness in the council. Somerset was abroad, but York's absence before March 1449, when he went to Ireland, can only have been due to his lack of sympathy with Suffolk's government.¹

In spite of the absence of the great magnates, disunity persisted on the council, as became clear when the crisis of the regime arrived during the parliament of 1449-50. The virtual retirement of Northumberland, Scrope, Hungerford and Bishop Alnwick left Archbishops Stafford and Kemp and Lord Cromwell as the last remaining links with the government of Henry V and the early Minority Council. Stafford's position is unclear, but Kemp and Cromwell, the natural political heirs of Cardinal Beaufort, were both, by 1449, on bad terms with Suffolk.² The shaky basis of Suffolk's authority—its dependence on the will of a weak king—and his failure to arouse support among magnates and Commons was illustrated by his impeachment in the parliament of 1449-50 and the subsequent overthrow of his chief associates at court and in the country during the summer of 1450. This crisis changed the character and scale of politics for the next decade and more. It brought to the centre of the stage the duke of York and thus reopened the dynastic question. It also brought into prominence the old question of the nature and composition of the king's council. One of the complaints of Cade's rebels was that the king's 'false council' had impoverished and weakened the Crown, and they demanded that he 'have around him' York and other magnates.³ And in the autumn Henry replied to York's complaints with the assertion that he had determined 'to stablish a sad and substantial Council, giving them more ample authority and power than ever we did before this, in the which we have appointed you [York] one'.⁴ These two references suggest that the decline of the council in the late fourteen-forties and the changes in the pattern of attendance at council meetings were important factors in the opposition to Suffolk and the court party.

There is no evidence that a 'sad and substantial Council' was in fact established during York's brief supremacy from late September 1450 to early in 1451. Throughout the fifteenth century a powerful, institutionalized

¹ On the charter witness-lists York, Salisbury, Northumberland and the earl of Devon appear very often: the first three were certainly councillors but there is no other evidence that Devon was.

² The blocking by Suffolk of the promotion of Kemp's nephew to the see of London and his support of William Tailboys against Cromwell represented the culmination of 7 years of declining influence for the two old councillors—*Official Correspondence of Thomas Bekynton*, ed. G. Williams (Rolls Ser., 1872), i. 155-8; *Wars of the English in France*, II. ii. 766.

³ *Three Fifteenth-Century Chronicles*, ed. J. Gairdner (Camden Soc., new ser., cxviii, 1880), pp. 96-7.

⁴ J. Stow, *Annales* (1631), pp. 394-5.

council normally left plentiful records of its activities and composition and the fact that no council warrants noting attendance survive from the period November 1450 to May 1451 suggests fairly decisively that no formal council on the lines of those of 1422, 1437 and 1454 was set up.¹ In any case the establishment of the authority of the duke of Somerset early in 1451 ended hopes of a powerful independent council. A council continued to exist, of course, but for the next three years nearly all the surviving warrants that note attendance were produced in the summer months of 1451, 1452 and 1453; perhaps it was only when the king was away from Westminster that the council had an independent existence sufficient to need a record of those responsible for decisions made. There is sufficient consistency in the lists of those attending council meetings to suggest that it was not an entirely inchoate body, and the mean average attendance was about the same as that of the years since 1443.² The tables show that the chancellor and the successive treasurers were by far the most consistent in attendance, though the successive keepers of the privy seal, men of lower calibre than their immediate predecessors, were rarely noted as present. A number of older councillors continued to attend after December 1450, notably Archbishop Stafford, Bishop Waynflete, Reynold Boulers, formerly abbot of Gloucester and now bishop of Hereford, Lord Cromwell, now chamberlain of the household, and Lord Dudley. But of the greatest magnates only the duke of Somerset was often present.³ The most interesting additions to the council were, by contrast, men of lesser rank. Robert Botill, prior of the Order of St. John in England, began to attend fairly regularly from May 1451, and Peter Taster, dean of St. Severin's in Bordeaux, from July 1453: these were to be constant members of the council until well into the reign of Edward IV.⁴ Another member of humble status, whose career was shorter, was Thomas Thorpe, baron of the exchequer, Speaker in the parliament of 1453 and one of the most consistent opponents of the duke of York, who attended a number of council meetings in July-August 1453.⁵ Other lay councillors of inferior rank were Sir Thomas Tyrell, Robert

¹ It is true that the king appears to have accepted some restrictions upon his right to make grants without the advice of his council, and no doubt if York had remained in power a more formal body would have evolved. On 25 Jan. 1451 the king wrote to the barons of the exchequer ordering them to disregard any royal letters which interfered with the due course of justice unless they passed by the advice of the council—*Rot. Parl.*, v. 218; *P.P.C.*, vi. 104.

² A royal letter to Sir Thomas Browne in Aug. 1453 reminds him that he was 'licensed to be absent from our Council': this may suggest that formal records of attendance did continue to be kept—E 28/83/29.

³ The charter witness-lists frequently include the names of other great magnates, including those of Warwick and Salisbury. It is not possible, however, to draw, as Dr. Storey does, political conclusions from this (p. 134). Norfolk, for instance, witnesses more charters than Salisbury, and there can be no doubt that he was out of favour at court in these years.

⁴ Lander, 'Council, administration and councillors', pp. 171-2.

⁵ See J. S. Roskell, 'Thomas Thorpe, Speaker in the Parliament of 1453-4', *Nottingham Mediaeval Studies*, vii (1963).

Whittingham and Thomas Browne, each of whom was and remained a strong adherent of Somerset and the court.¹ Their presence on the council and the virtual exclusion of most of the magnates suggests that the change in the nature of the council which had begun under Suffolk's regime had not been checked by the events of 1450: an attempt was being made to revert to the advisory councils of, say, 1395 to 1403, with their high proportion of fairly humble laymen and experts who would have neither the will nor the means to encroach upon the powers of the king and court.²

But the baronial concept of the council was to have one final innings, permitted by the insanity of the king which began in August 1453. The precedent of 1422 showed that during the incapacity of the king the government of the country ought to devolve upon the lords in great council and parliament, and through them to a formally constituted continual council.³ On the news of the king's madness, writes one chronicler, the council took upon itself the government, but summoned a great council to meet in November.⁴ A late invitation to attend this was sent to the duke of York, and was witnessed by nine councillors—the bishops of Winchester, Rochester, Norwich, Salisbury and Lincoln, the earl of Worcester, Lords Sudeley and Dudley, and the prior of St. John's.⁵ This is a fairly typical group of councillors of the period between 1451 and 1453: but by December a transformation had taken place. On 6 December a warrant to license the export of wool was signed by the chancellor, the duke of York, Bishop Bourghier and three other prelates, the earl of Worcester, the earl of Pembroke and Viscount Bourghier.⁶ The presence of York is significant of his new position, soon to be formalized, as the leading magnate of the realm: Lord Bourghier, his brother-in-law, and the young earl of Pembroke were already associated with him. More interesting still is the fact that, for the first time since 1443, so far as the evidence shows, the warrant was signed by the councillors present. During the great council in November the duke of Norfolk presented articles of accusation against the duke of Somerset and, apparently on 23 November, Somerset was imprisoned in the Tower.⁷ Although Somerset and his supporters were attempting to gather strength in January, and the queen tried to claim powers of regency

¹ See for each of these men J. C. Wedgwood, *History of Parliament: Biographies* (1936).

² Baldwin, pp. 132-42; Kirby, *ubi supra*, pp. 42-7, 59-60.

³ *Rot. Parl.*, iv. 176; *P.P.C.*, iii. 16-17, 233. And see J. S. Roskell, 'The office and dignity of Protector of England, with special reference to its origins', *Eng. Hist. Rev.*, lxxviii (1953), 193-233; B. Wilkinson, 'The duke of Gloucester and the council, 1422-8', *ante*, xxxi (1958), 19-20.

⁴ Trinity College Dublin, MS. E. 5, 10 fo. 174. It had met by 21 Nov.—*C.P.R.* 1452-61, p. 143.

⁵ *P.P.C.*, vi. 163.

⁶ *Ibid.*, pp. 164-5.

⁷ *Paston Letters* (Library edn., 1904), ii. 290-1; *Incerti Scriptoris Chronicon Angliae*, ed. J. A. Giles (1848), pp. 44-5. The Dublin chronicle states that Somerset was arrested on St. Clement's Day (23 Nov.): this conflicts somewhat with Somerset's claim that he had been in the Tower for one year ten weeks and more before his

for herself, the general feeling among the lords and, probably, in the country, was against them and by the time a great council assembled early in February, in anticipation of the session of parliament, the new political situation had been consolidated.¹ For the next two months there are nearly a score of records of decisions taken and warrants issued by the lords in great council and parliament.² For the most part those present subscribed their names and often the documents with the original signatures survive: of others only the fair copy now exists, on which the clerk of the council or a clerk of the privy seal office has listed the lords who subscribed or, in some cases,³ simulated their signatures. The number of names on a warrant ranges from five to thirty-two, but is nearly always more than fifteen. In all some fifty spiritual and temporal lords were noted as present at meetings of the lords during the parliamentary session: whether these meetings can be styled sessions of the lords in parliament or in great council is irrelevant for the purposes of the present study. During this period the continual council, appointed by the king and responsible to him, appears to have ceased to exist.⁴ Its rights and duties, according to baronial theory as expressed in 1422 and 1427, were subsumed in the lords in council in parliament.⁵ The lords took a series of very important decisions, including the nomination of York to act as the king's representative in parliament and later as Protector of the realm, the nomination of Thomas Bourghier to succeed Kemp (who died on 22 March) at Canterbury, and the appointment of the earl of Salisbury in Kemp's place as chancellor.⁶

The establishment of a 'sad and substantial Council', however, had not been forgotten. It would appear, indeed, that even before the king's incapacity, the Commons, in other ways very amenable to the royal will, had pressed for such a council to be appointed. On 19 March 1454 their Speaker, in reply to a request for taxes, reminded the lords that the chancellor had promised at the beginning of the parliament at Reading to establish a council 'of the right discrete lordes and other of this land' to which men might come for justice, but that nothing had been done in the intervening period. In response to this renewed request the lords chose a council and

release on 7 Feb. 1455, but he may have spent some time under house arrest—Trin. Coll. Dublin MS. E. 5, 10 fo. 174; *Foedera*, xi. 361; *C.P.R.* 1452-61, p. 226.

¹ *Paston Letters*, ii. 298; Storey, p. 138; Trin. Coll. Dublin MS. E. 5, 10 fo. 174d.

² E 28/84/2, 4; C 81/1546/73-80; *P.P.C.*, vi. 165-75; Brit. Mus., Add. MS. 19398.

³ E.g. E 28/84/24, C 81/1546/73.

⁴ Dr. Storey (p. 138) is incorrect in asserting that the great council 'set up a temporary King's council'; the same view appears to be taken by Dr. Brown ('King's councillors', p. 113). The references Dr. Storey gives are clearly to meetings of the great council in the great council chamber; undoubtedly some lords were much more assiduous in attendance than others but a formal king's council cannot be constructed from them. The Trin. Coll. Dublin MS. (fo. 174d) states that on his acquittal the earl of Devon was made 'one of the council'—but the great council must be referred to.

⁵ *P.P.C.*, iii. 233; Roskell, 'The office of Protector'.

⁶ *C.P.R.* 1452-61, p. 153; *P.P.C.*, vi. 168, 355; C 81/1546/76.

on 23 March sent representatives to the king to report back to them on his state of health: if possible the deputation was to obtain the king's approval of the appointment of the council and chancellor.¹ On hearing the report of the king's continued incapacity the lords chose York as Protector, but he insisted that those nominated to the king's council should also serve. The lords remitted this to be discussed by those so nominated and nothing further appears on the parliament roll, but it seems certain that they or others did agree to serve before the session closed on 17 April. For on 16 April a privy seal letter was sent to twenty-four persons being of the king's council to assemble on 6 May following to provide, in particular, for the defence of Calais.² There can be no doubt that this was the formally nominated council: nearly all of these men, with very few additions, did attend council meetings in the next two years and more than half were later paid wages as councillors back-dated from 15 April 1454.³ It is probable that it was on that day that they were formally nominated in parliament.

The new council included a number of men with long experience as royal councillors, in particular the duke of Buckingham, the bishops of Winchester and Coventry, Lords Cromwell, Sudeley, Dudley and Stourton. But it also included a number of comparative 'novices' in the duke of Norfolk, the earls of Warwick, Oxford and Shrewsbury and Archbishop Booth, together with two lesser laymen of vast official experience in Sir Thomas Stanley, controller of the household, and John Say, chancellor of the duchy of Lancaster. The very high proportion of lay magnates on the council, two of whom held the great offices of state, clearly harks back to the Minority Council and marks a complete break with the recent developments of the institution. From the council of the previous three years there had been omitted the strongest opponents of the Yorkist faction—Somerset, Wiltshire and Thorpe—and to it had been added a number of magnates allied in various ways to the new Protector, in particular Norfolk, Salisbury, Warwick, Oxford, Bourghier and Scales. But it is noticeable that Booth, Lyhart and Boulers, three of the most unpopular bishops during the crisis of 1450, remained members of the council, as did the king's personal friend, Bishop Waynflete. And there remained a solid ballast of experienced councillors and officials who were virtually permanent 'civil servants' and could be guaranteed to survive almost any change of regime,⁴ as well as

¹ *Rot. Parl.*, v. 240-1.

² *P.P.C.*, vi. 174; see Appendix A.

³ The annual rates were: £200 for the earl of Salisbury (while chancellor); 200 marks for the earls of Warwick, Worcester, Salisbury and Shrewsbury and Lord Cromwell; £116. 13s. 4d. for Viscounts Beaumont and Bourghier; £100 for the prior of St. John's; 100 marks for Dudley and Stanley; £40 for John Say and the dean of St. Severin's (who was not on the April list)—E 404/70/81, 71(1)/52, 71(2)/46; E 403/817 mm. 1-4 etc.; Baldwin, p. 198.

⁴ Among these was the dean of St. Severin's, who was often present at council meetings from 15 May and, though not on the original list, was paid as a councillor from 15 Apr. The keeper of the privy seal, Thomas Lisieux, was not on the list of Apr. 1454, though he is occasionally noted as present at meetings.

great magnates like Buckingham, Beaumont and Shrewsbury who were certainly not allied to York and who, in fact, all died in the Lancastrian cause in 1460. It was, in fact, a council representative both of official ability and experience and of most of the interests of the English nobility.

Of the forty-nine council warrants listing attendance which derive from the period May to December 1454 a number were produced by the great council that met in early July. But except for the session of 18 July when the release of Somerset was discussed, the names of very few lords who had not been nominated to the continual council appear on the warrants: these documents have, therefore, except for that of 18 July, been used as evidence of attendance at meetings of this body. Half of the members of the nominated council attended more than a third of the sessions. All the bishops save Boulers attended regularly, as did the prior of St. John's and the dean of St. Severin's. Of the magnates York, Buckingham, Bourghier, Dudley and Stourton were all often present. Norfolk, on the other hand, whose vast territorial interests do not seem to have been matched by much political energy or ability, together with Shrewsbury, Cromwell, now an old man, Scales and Sudeley attended very rarely.

The consistent attendance at council meetings by members of the nominated council and the re-introduction of the practice of their signing warrants suggests that it was indeed functioning as the main organ of government and administration during these months and this is confirmed by the multifarious decisions made and warrants issued as well as the renewed insistence on the privy seal as the sole warrant to the exchequer and duchy of Lancaster.¹ It is true that the clerical members were the most consistent in their attendance but a number of the most important magnates were normally present and their group interests if not their personal ambitions were now, in any case, also represented by the chancellor and treasurer. In many ways this period resembles the first years of the Minority Council and it must not be forgotten that no one could have foretold the eventual recovery of the king. The constitutional arrangements were clearly envisaged as likely to last until the coming-of-age of the baby Prince Edward and the composition of the council makes it very unlikely that York had any plans at the time for an attempt on the throne: in any case the natural hazards in the life of a fifteenth-century child gave him or his son a strong chance of the eventual succession so long as he could keep his Beaufort rival from power.

The king's recovery early in 1455 was fatal to any such hopes and, of course, ended the constitutional arrangements set up a year previously. On 7 February Somerset was released on bail from the Tower on the orders of the king and great council, and later in that month the earl of Wiltshire and Lord Beauchamp, both men of the court, were added to the continual council.² In March Somerset was released from his bail and replaced York

¹*P.P.C.*, vi. 188; E 28/85/32-3.

²*C.Cl.R.* 1454-61, p. 9; E 404/71(3)/32, 49; *C.P.R.* 1452-61, p. 226.

as captain of Calais¹ and a few days later the earls of Salisbury and Worcester were replaced in their offices by Archbishop Bourghier and the earl of Wiltshire. The latter appointment, in particular, was clearly an affront to York, who had been on bad terms with Wiltshire since 1452 and who had by this time withdrawn from London with the Nevilles and others to gather their forces for a trial of strength with the Beaufort and Percy factions.² During the first five months of 1455 only two council warrants noting attendance survive and, though a council existed, it seems that the continual council nominated in April 1454 had ceased to function.³ The Yorkist victory at St. Albans on 22 May, however, ushered in a new phase of conciliar activity.

On 29 May Viscount Bourghier replaced Wiltshire as treasurer. His brother remained chancellor but then, or a little later, a number of changes were made in the household offices: Stanley succeeded Cromwell as chamberlain and was himself succeeded as controller by Sir Richard Harington, whilst Sir John Brecknock became keeper of the wardrobe in place of Dudley who was put in the Tower.⁴ At the same time York and Warwick succeeded Somerset as constable of England and captain of Calais respectively. On 4 June 1455 a petition was warranted at St. Paul's by what purported to be the king's council.⁵ Those present of the 1454 council included the chancellor, the bishop of Coventry, the duke of York, the earls of Warwick and Salisbury, the prior of St. John's and the dean of St. Severin's. But the assembly also included Thomas Kemp, bishop of London, William Gray, provided to the see of Ely in June 1454 at the instance of the Protectorate Council, the earl of Pembroke, Lords Faucomberge and Berners. All these new members, judging by their previous and future behaviour and affiliations, could have been regarded as friendly to York and hostile or at least neutral towards the court and the Beauforts.

There is no extant list of the council for the following months but, omitting the records of the great council that met in early November and the proceedings of the lords during the parliament of November to December 1455,⁶ fifteen warrants with notes of attendance survive for the period between July and December 1455. Twenty-nine men attended council meetings during these six months, twenty-one of whom had been appointed to the continual council of April 1454.⁷ It seems likely, indeed, that this council, with some of the other constitutional arrangements of the

¹ C 81/1546/99—printed in *Foedera*, xi. 351.

² *P.P.C.*, vi. 358; Armstrong, *ubi supra*, pp. 1-72; Storey, pp. 89-92, 140, 160-1.

³ The two warrants are from 25 Feb. and 13 March 1455—C 81/1546/98, E 28/86/15. The summons to the great council on 21 May was issued under the privy seal by signet warrant—*P.P.C.* vi. 339-42. It may, however, have been decided on at a council meeting to which York and his friends were not summoned on 15-18 Apr.—*Rot. Parl.*, v. 281; Armstrong, *ubi supra*, p. 14.

⁴ *Paston Letters*, iii. 33.

⁵ E 28/86/20.

⁶ *Rot. Parl.*, v. 282-3, 453; E 28/87/10.

⁷ Those added are Bishops Kemp, Gray, Lowe and Neville, Lords Faucomberge, Berners and Fitzwarren and the keeper of the privy seal.

previous year, was resuscitated by the Yorkist victory. For when offered the protectorship on 17 November York made it clear that in the incapacity of the king, authority lay with the lords in parliament as 'the parage of this lande', and that he would act in major matters only with their consent or with that of their representatives, the continual council. He went on to complain that although a council had been previously named, some of its members had not given diligent attendance. He asked that a sufficient number of lords 'as be approved of vertuose and rightwesse disposition' be nominated to serve on the council and that they should be granted pensions sufficient to promote diligent attendance: in future absence was to be permitted only on application in writing.¹ These terms were agreed and on 22 November the king granted the council full powers to 'provyde, comynne, ordeyne, spede and conclude, all such matiers as touche and concerne the good and politique rule and governaunce of this his land and lawes therof' with the sole proviso that he should be informed of all matters touching 'the honour, wurship and suertee of his moost noble persone'.² It was probably as a consequence of this decision to grant wages to the councillors that in the following July warrants were issued for the payment of arrears of wages to ten members of the council nominated in 1454.³ The most consistent attenders at council meetings during York's second period of supremacy were his own supporters and kinsmen—the two Bourghiers, Salisbury, Warwick, Faucomberge and Worcester—together with some of the bishops, the prior of St. John's and the dean of St. Severin's. It was, inevitably, a much more partisan body than that which governed during 1454.

A good deal of important work was done by the council and many warrants issued by its authority, but the king's or, rather, queen's recovery of power in January 1456 extinguished this last flame of the baronial council. It is true that a formal council appears to have survived: payments to certain councillors continued to be made for several years and the provisos in the warrants ordering deductions for periods of non-attendance suggest that consistent attendance was expected.⁴ In August 1458 thirty-three councillors were ordered to attend in London on 11 October: these included twenty-one of the councillors nominated in April 1454.⁵ But the council

¹ *Rot. Parl.*, v. 286-7.

² *Ibid.*, pp. 289-90.

³ E 404/70/81.

⁴ See p. 139, n. 5 above. Warrants for such payments continued to be issued until Oct. 1459. Those paid for attendance after Easter 1456 were, apart from the great officers of state, the earl of Wiltshire, Lords Grey and Beauchamp and the dean of St. Severin's—E 404/71(3)/33, 38, 49, 72. The deductions made for absence show that the dean of St. Severin's averaged only about 4 days absence a year, but Wiltshire, Grey and Beauchamp each had wages deducted for about three months a year.

⁵ See Appendix A. Waynflete, now chancellor, was not on the list, Cromwell was dead and Worcester abroad. The very phrasing of the letter suggests that normally attendance was not good.

does seem to have ceased to exercise any close control over details of administration. Few warrants from the council survive for the period February 1456 to June 1460 and only fourteen contain records of attendance; eight of these derive from the first half of 1456.¹ It may be, of course, that many records of the council were lost during the peregrinations of the court in these years, but this, in any case, does not account for the almost total absence of the great magnates from those meetings which are recorded, particularly after the autumn of 1456, when the three great offices of state were taken over by men totally loyal to the court—Bishop Waynflete, the earl of Shrewsbury and Laurence Booth, chancellor to the queen. There were no sweeping changes in the council: the only new councillors in these last years appear to have been Lord Grey of Ruthin and Sir John Wenlock, the queen's chamberlain.² But the few surviving records suggest that council meetings were normally attended, apart from the great officers, by a few officials and clerics. Power was no longer in their hands but had passed to the court: it is noticeable that none of the main opponents of the Yorkists in 1460, save the treasurer, Shrewsbury, had attended any of the recorded council meetings of the previous three years.³

The battle of Northampton brought immediate changes in office-holding, George Neville, bishop of Exeter, Viscount Bourghier and Robert Stillington replacing the previous holders of the three great offices and there being a number of changes in the household.⁴ There are not enough council warrants for the last months of Henry's reign to allow any conclusions to be drawn on the composition of the council during this period. Clearly the most important figures were the chancellor, the Bourghiers, Salisbury, Warwick and March, Wenlock and the perennial prior of St. John's and dean of St. Severin's. The attitude of the lords to York's claim to the throne, the death of so many peers in the battles of 1460-1 and the desire of the new young king to be master in his own house meant that after 1461 there was no attempted revival of the council of 1454-5. As Professor Lander shows, although the council of Edward IV was far from insignificant it was advisory rather than executive and Edward took towards this institution the attitude

¹ A great council appears to have been summoned at Westminster for 7 June 1456, but attendance was very poor: at its opening only the chancellor, treasurer and Salisbury were present and a warrant of 11 June is signed by only 7 lords, all being of the continual council. The focus of politics and administration had already shifted north-west to the Lancastrian heart-lands—*Paston Letters*, iii. 92; E 28/87.

² Grey was present at only two of the recorded meetings but he was paid as a councillor from 28 Oct. 1456—E 404/71(3)/38.

³ The charter witness-lists again present a different story: York's name appears on such lists to Oct. 1459 and Buckingham, Beaumont, Shrewsbury and Beauchamp attest nearly all of them. There is no doubt that they were councillors, but they rarely attended formal council meetings for administrative business. In any case these seem to have become less frequent.

⁴ The earl of Salisbury succeeded Sir Richard Tunstall as chamberlain of the household and Sir Thomas Tuddenham was replaced by Sir Walter Skull as keeper of the wardrobe.

not of his father but of his father's enemies in the period of court predominance.¹

Although allowance must be made for the unsatisfactory nature of the records after 1443, the evidence does seem to shew that after that year a gradual change took place in the nature of the council. In the first years of the king's majority the magnates remained working members, assiduous in attendance and well paid. They remained representatives of the political community as well as servants of the king, and diligent attendance to the work of the council brought dividends in political influence and a share in crown patronage. During the mid fourteen-forties, and particularly after 1446, the council was transformed into a body mainly attended by prelates of administrative background, a few lords connected with the household and one or two lay officials. Corporate feeling declined as its representative character disappeared and the payment of wages became less systematic. The emergency of 1454-5 produced a revival of the former type of council, but this disappeared again on the king's recovery. Suffolk and Somerset from 1443 to 1453 and the queen after 1455 seem to have been moving towards the looser, more dependent council, advisory rather than executive, that existed under the Yorkists and Henry VII. They failed partly because the traditions of baronial participation and a representative council were too strongly developed during the first forty years of Lancastrian rule and, more important, because what was acceptable under the control of a strong king, who might provide for consultation in other ways, provoked resentment and revolt when authority was notoriously in the hands of a faction. A non-representative, curial council could only work, as after 1471, with a powerful, successful monarch at its head.

R. VIRGOE

APPENDIX A

Lists of members of the continual council, 1437-61

(i) 13 November 1437

Appointed by the king in a great council at St. John's Hospital, London to be of his 'prive counseill'. (*Rot. Parl.*, iv. 438; *P.P.C.*, vi. 312.)

The duke of Gloucester; Cardinal Beaufort, bishop of Winchester; the archbishops of Canterbury and York; the bishops of Lincoln and St. Davids; the earls of Huntingdon, Stafford, Salisbury, Northumberland and Suffolk; Lords Hungerford and Tiptoft; Sir William Phelip, Robert Rolleston and Sir John Stourton; the bishop of Bath (chancellor), Lord Cromwell (treasurer) and William Lyndwood (keeper of the privy seal).

(ii) 20 March 1441

Letters under the privy seal sent to members of the council ordering them to attend at Westminster on 1 May for discussions with other lords of the council. (P.R.O., E 28/67, 20 March 1441.)

¹ Lander, 'The Yorkist council and administration', especially pp. 45-6.

The duke of Gloucester; Cardinal Beaufort; the archbishops of Canterbury and York; the bishop of Bath (chancellor) and the bishop of Lincoln; the earls of Huntingdon, Stafford, Salisbury and Suffolk; Lords Cromwell (treasurer), Hungerford, Tiptoft and Fanhope; Sir John Stourton and Robert Rolleston.

(iii) 17 December 1446

Warrant for privy seal letters to be sent to the following to attend the council at Westminster on 24 January 1447. (P.R.O., E 28/77/14.)

The dukes of Gloucester, York, Exeter and Buckingham; the marquesses of Dorset and Suffolk; the archbishops of Canterbury (chancellor) and York; the bishops of Lincoln, Carlisle (appointed treasurer on 18 Dec.), Salisbury, Rochester, Bath, Chichester (privy seal) and Norwich; the earls of Salisbury and Northumberland; Lords Cromwell, Hungerford, Scrope of Masham, Dudley and Sudeley (treasurer); the abbot of Gloucester; Sir John Stourton and Robert Rolleston.

(iv) 16 April 1454

Letters under privy seal sent to each of the following to assemble as the king's council 'of which ye be oon', on 6 May, to provide for the defence of Calais. (P.P.C., vi. 174.)¹

The duke of York (Lord Protector of England); the dukes of Norfolk and Buckingham; the archbishop of York; the bishops of Winchester, Ely, Norwich, Coventry and Lincoln; the earls of Warwick, Oxford, Salisbury (chancellor), Worcester (treasurer) and Shrewsbury; Viscounts Beaumont and Bourghier; Lords Cromwell, Sudeley, Scales, Dudley and Stourton; the prior of St. John's; Sir Thomas Stanley and John Say.

(v) 26 August 1458

Letters under the privy seal sent to each of the following reminding them that it is the duty of all lords and others that be 'of oure counsaile' to attend it in term-time, but 'for certain special matters' these letters are sent summoning them to be at Westminster on 11 October following. (P.C.C., vi. 297.)²

The dukes of York, Buckingham and Norfolk; the archbishops of Canterbury and York; the bishops of London, Coventry, Lincoln, Ely, Salisbury, Hereford and Norwich; the earls of Warwick, Salisbury, Oxford, Shrewsbury and Wiltshire (treasurer); Viscounts Beaumont and Bourghier; Lords Grey of Ruthin, Welles, Scales, Sudeley, Faucomberge, Dudley, Rivers, Beauchamp, Stourton and Stanley; the prior of St. John's; Sir John Wenlock, the dean of St. Severin's and John Say.

¹ The council was probably nominated in parliament on the previous day.

² The chancellor and privy seal are omitted from the list.

APPENDIX B

Attendance at meetings of the continual council, 1437-61¹(i) 15 Nov. 1437-13 July 1443; attendance noted for 204 sessions.²

Bp. Stafford of Bath, chancellor, 188	Earl of Salisbury, 43
Lord Cromwell, treasurer, 137	Earl of Stafford, 44
William Lyndwood, privy seal, 119 ³	Earl of Suffolk, 104
Cardinal Beaufort, bp. of Winchester, 50	Viscount Beaumont, 15
Cardinal Kemp, abp. of York, 63	Lord Bardolph, 10
Abp. Chichele of Canterbury, 8	Lord Fanhope, 26
Bp. Alnwick of Lincoln, 21	Lord Hungerford, 33
Bp. Ayscough of Salisbury, 22	Lord Scrope, 28
Bp. Rodburn of St. Davids, 2	Lord Sudeley, 10
Duke of Gloucester, 44	Lord Tiptoft, 33
Earl of Huntingdon, 30	Sir John Stourton, 21
Earl of Northumberland, 66	Adam Moleyns, 37 ⁴
	Robert Rolleston, 18

(ii) 10 Oct. 1443-14 Dec. 1446: attendance noted for 101 sessions.⁵

Abp. Stafford of Canterbury, chancellor, 93	Bp. Browns of Norwich, 19
Lord Sudeley, treasurer, 67	Bp. Lowe of Rochester, 4
Bp. Bekynton of Bath, privy seal, 26	Bp. Lumley of Carlisle, 5
Cardinal Beaufort, bp. of Winchester, 1	Bp. Lyhart of Norwich, 4
Cardinal Kemp, abp. of York, 21	Duke of Gloucester, 8
Bp. Alnwick of Lincoln, 3	Duke of York, 1
Bp. Ayscough of Salisbury, 4	Marquess of Dorset, 12
	Earl of Huntingdon, 10

¹The figures are mainly based upon an analysis of the minutes and warrants in *P.P.C.*, v and vi, *P.R.O.*, Exchequer, Council and Privy Seal, E 28/58-88 and Chancery Warrants (Council), C 81/1545-6. A few documents of uncertain date have been excluded. In each section titles and offices are those held at the beginning of the period covered. Except for the great officers, names are grouped by rank in alphabetical order.

²Apart from the summer vacations the main gaps in the evidence are for June 1438-March 1439 and Nov. 1442-Jan. 1443. Some judges and others whose names appear on only one or two occasions are here omitted. Bishop Ayscough is noted as present for the first time on 7 May 1439, Beaumont on 22 May 1439, Scrope on 2 July 1439, Fanhope on 8 May 1439 and Sudeley on 6 Jan. 1441.

³Consecrated bishop of St. Davids 26 Aug. 1442.

⁴Commonly present as clerk from early in 1439 and often notes his own presence—'et me Adam Moleyns'. But on 13 Nov. 1441 he is noted as present by Henry Benet, the privy seal clerk responsible for minuting the warrant, and from 27 Feb. 1443, when he is styled 'king's counsaillour', he attends regularly—E 28/69/39; *P.P.C.*, v. 226-8.

⁵The main gap is Sept. to Dec. 1444. Bishop Bekynton is noted as present for the first time on 10 Oct. 1443, Bishop Browns on 31 Jan. 1444, Lowe on 11 Feb. 1445, Lumley on 12 Nov. 1446 and Lyhart on 18 Nov. 1446; Dorset on 1 Feb. 1444, Dudley on 26 Jan. 1444 and Boulers on 2 Dec. 1445. Sir William Estfield, some of the judges and the under-treasurer are also occasionally noted as present.

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Earl of Northumberland, 3	Lord Fanhope, 2
Earl of Salisbury, 4	Lord Scrope, 7
Earl of Stafford, 25	Abbot Boulers of Gloucester, 4
Earl of Suffolk, 31	Sir John Stourton, 3
Viscount Beaumont, 5	Adam Moleyns, 39 ²
Lord Cromwell, 44	Robert Rolleston, 7 ³
Lord Dudley, 20 ¹	

(iii) 29 Apr. 1447-20 Dec. 1449: attendance noted for 57 sessions.⁴

Abp. Stafford of Canterbury, chancellor, 54	Marquess of Dorset, 4
Bp. Lumley of Carlisle, treasurer, 33	Marquess of Suffolk, 18
Bp. Moleyns of Chichester, privy seal, 19	Earl of Salisbury, 3
Cardinal Kemp, abp. of York, 35	Earl of Warwick, 1
Bp. Alnwick of Lincoln, 2	Viscount Beaumont, 1
Bp. Ayscough of Salisbury, 2	Lord Cromwell, 18
Bp. Bekynton of Bath, 7	Lord Dudley, 8
Bp. Bourghier of Ely, 10	Lord Hungerford, 3
Bp. Carpenter of Worcester, 3	Lord Say, 10 ⁵
Bp. Lowe of Rochester, 11	Lord Scales, 1
Bp. Lyhart of Norwich, 16	Lord Scrope, 3
Bp. Waynflete of Winchester, 16	Lord Sudeley, 9
Duke of Buckingham, 11	Abbot Boulers of Gloucester, 20
Duke of York, 4	Sir Thomas Stanley, 2
	Sir John Stourton, 10
	John Fray, 4

(iv) 22 March 1450-29 Aug. 1453: attendance noted for 50 sessions.⁶

Cardinal Kemp, abp. of York, chancellor, 38	Andrew Huls, privy seal, 2
Lord Beauchamp, treasurer, 8	Abp. Stafford of Canterbury, 11
	Bp. Ayscough of Salisbury, 1

¹ Appointed a councillor 3 Nov. 1443—see e.g. E 403/775 m. 3.

² Keeper of the privy seal from 11 Feb. 1444; bishop of Chichester from Dec. 1445.

³ Rolleston ceased to be wardrober in Oct. 1444, but apparently remained a councillor—see p. 144, n. 2 above.

⁴ The main gap is from Feb. to Aug. 1448. Waynflete is noted as present for the first time on 25 Nov. 1447, Bourghier on 2 June 1447 (though he was occasionally present from 1442), Say on 27 Jan. 1448, Stanley in 1448. The names of Lord Scales and John Fray appear on documents of Oct. 1449; no doubt they were present to give expert advice on the military and financial crises. A number of other lords were present at meetings held in the council chamber of parliament during the parliament of Nov. 1449—E 28/79/39, 12, 14, 56; C 81/1546/46, 50.

⁵ Treasurer from 16 Sept. 1449.

⁶ The main gaps are Oct. 1450-Apr. 1451; Jan.-Apr. 1452 and Aug. 1452-Feb. 1453. The prior of St. John's is noted as present for the first time on 1 May 1451, Bishop Booth and Worcester on 19 May 1452, Wiltshire on 12 June 1452, Tyrell on 6 July 1451, Whittingham on 3 July 1452, and Thorpe, Browne and the deans of St. Paul's and St. Severin's between 11 and 18 July 1453. Lord Scales and Sir John Fastolf both attended meetings in July 1450, no doubt to give military advice, Lords Rivers and Lisle were present only in Aug. 1450, Bishop Stanbury only in May 1451, Stillington only on 27 Oct. 1450 and Derby on 3 July 1452.

Bp. Beauchamp of Salisbury, 2	Lord Dudley, 5
Bp. Booth of Coventry, 3	Lord Lisle, 2
Bp. Bourghier of Ely, 4	Lord Rivers, 3
Bp. Kemp of London, 4	Lord Stourton, 3
Bp. Lowe of Rochester, 1	Lord Sudeley, 3
Bp. Lumley of Lincoln, 2	Abbot Boulers of Gloucester, 7
Bp. Stanbury of Bangor, 2	Prior of St. John's, 12
Bp. Waynflete of Winchester, 18	Dean of St. Severin's, 12
Duke of Buckingham, 6	Dean of St. Paul's, 5 ²
Duke of Somerset, 20	Sir Thomas Browne, 2
Earl of Salisbury, 2	Sir Thomas Tyrell, 10
Earl of Shrewsbury, 2	John Derby, 1
Earl of Warwick, 2	Robert Stillington, 1
Earl of Wiltshire, 2	Thomas Thorpe, 16
Earl of Worcester, 25 ¹	Robert Whittingham, 2
Lord Cromwell, 9	

(v) 9 May-30 Dec. 1454; 4 July-16 Dec. 1455: attendance noted for 64 sessions.³

Earl of Salisbury, chancellor, 59	Earl of Oxford, 8
Earl of Worcester, treasurer, 42	Earl of Warwick, 16
Dean of St. Paul's, privy seal, 9	Viscount Beaumont, 10
Abp. Bourghier of Canterbury, 49 ⁴	Viscount Bourghier, 32 ⁵
Abp. Booth of York, 40	Lord Berners, 3
Bp. Bekynton of Bath, 3	Lord Cromwell, 2
Bp. Boulers of Coventry, 10	Lord Dudley, 21
Bp. Chedworth of Lincoln, 33	Lord Faucomberge, 11
Bp. Gray of Ely, 8	Lord Fitzwarren, 4
Bp. Kemp of London, 11	Lord Scales, 2
Bp. Lowe of Rochester, 1	Lord Stourton, 22
Bp. Lyhart of Norwich, 4	Lord Sudeley, 4
Bp. Neville of Durham, 2	Prior of St. John's, 49
Bp. Waynflete of Winchester, 44	Dean of St. Severin's, 31
Duke of Buckingham, 27	Sir Thomas Stanley, 8
Duke of Norfolk, 4	John Say, 17
Duke of York, 28	

(vi) Jan. 1456-June 1460: attendance noted for 14 sessions.⁶

Abp. Bourghier of Canterbury, chan- cellor, 4	Laurence Booth, privy seal, 5 ⁷
Viscount Bourghier, treasurer, 7	Abp. Booth of York, 3
	Bp. Chedworth of Lincoln, 1

¹ Treasurer from 15 Apr. 1452.

² Keeper of the privy seal from 12 May 1452.

³ The duke of Norfolk is present only in May 1454; the bishops of London, Ely, Rochester and Durham, Lords Faucomberge, Berners and Fitzwarren only after June 1455.

⁴ Chancellor from 7 March 1455.

⁵ Treasurer from 29 May 1455.

⁶ Only 6 of these sessions derive from the years 1457-60.

⁷ Keeper of the privy seal from 24 Sept. 1456; consecrated bishop of Durham 25 Sept. 1457.

Bp. Kemp of London, 2	Lord Faucomberge, 1
Bp. Lyhart of Norwich, 3	Lord Grey of Ruthin, 2
Bp. Stanbury of Hereford, 2	Lord Scales, 1
Bp. Waynflete of Winchester, 6 ¹	Lord Welles, 1
Earl of Salisbury, 5	Prior of St. John's, 9
Earl of Shrewsbury, 1 ²	Dean of St. Severin's, 11
Earl of Warwick, 2	Sir Thomas Stanley, 1
Earl of Wiltshire, 1 ³	Sir John Wenlock, 7
Lord Dudley, 4	John Say, 7

(vii) July 1460-March 1461: attendance noted for 5 sessions.⁴

Bp. Neville of Exeter, chancellor, 5	Lord Berners, 1
Viscount Bourghier, treasurer, 3	Lord Dudley, 1
Abp. Bourghier of Canterbury, 3	Lord Fitzwarren, 1
Abp. Booth of York, 1	Lord Montagu, 1
Bp. Beauchamp of Salisbury, 1	Lord Stanley, 1
Bp. Gray of Ely, 1	Lord Stourton, 1
Bp. Kemp of London, 1	Lord Wenlock, 3
Earl of March, 1	Prior of St. John's, 2
Earl of Salisbury, 4	Dean of St. Severin's, 3
Earl of Warwick, 2	John Say, 1
Lord Beauchamp, 1	

¹ Chancellor from 11 Oct. 1456.

² Treasurer from 5 Oct. 1456 to 30 Oct. 1458.

³ Treasurer from 30 Oct. 1458.

⁴ Three of the sessions are from Aug. 1460.

Dissolution Dates for the Monasteries Dissolved under the Act of 1536

AS IS WELL known, in the last session of the Reformation Parliament, which sat from February to April 1536, an Act was passed entitling the king to dissolve all religious houses with an annual income under £200 and to take their property into his own hands. According to the surveys taken by the commissioners for establishing values of ecclesiastical lands in 1535-6, the *Valor Ecclesiasticus*, 453 monasteries were thus brought within the king's power.¹ The king, however, had the discretion of allowing such houses as he should see fit to stand notwithstanding the Act and less than half that number were at this time dissolved under the Act.²

There has, in fact, been considerable confusion as to which houses fell under the Act and which houses disappeared at this time for other reasons. The first ministers' and receivers' accounts after the dissolution, however, make this distinction clear, for houses which came to an end in some other way—attainder, for example—are not included in the same accounts as those dissolved according to the regular process under the Act. Moreover, the first accounts often also give precise dates both for the days on which the monasteries were surveyed and for the days on which they were dissolved. Historians have been quarrying the source in a piecemeal fashion for some time, but no one has attempted to produce a complete list of dates drawn from this source or to verify their accuracy and examine what the accountants meant when they asserted that a house was surveyed or dissolved on a specific day.

There seems no reason to doubt either the general accuracy of these dates (clerical errors aside) or that they had a definite significance in the accountants' minds. The dissolution is one of the best-documented events of the sixteenth century in England. As well as the accounts in question, there survive numbers of the original replies or 'depositions' to the enquiries made by the commissioners, the surveys made of the demesnes and rents, the sale of goods at the dissolution and the rewards given to the departing religious and their servants. Many of these are dated and the dates tally

¹ British Museum, Cotton MS. Cleopatra E. iv fos. 290 *seqq.* (probably the original lists from which the schedules were drawn up).

In this article the names of the monasteries are given in the form in which they appear in D. Knowles and R. N. Hadcock, *Medieval Religious Houses: England & Wales* (1953); Professor Knowles has also discussed the dissolution in *The Religious Orders in England* (Cambridge, 1948-59), iii, part 3.

² For a general discussion of the effects of the Act of 1536, see S. M. Jack, 'The last days of the smaller monasteries in England', *Jour. Ecclesiastical Hist.*, xxi, no. 2 (Apr. 1970), 97-124.

remarkably well with the dates in the accounts. Occasionally they are a day earlier or a day later: the significance of this will be clearer in a moment.

In the east Midlands, Lancashire, Northumberland and the home counties the survey dates give a clear impression of commissioners travelling slowly round from house to house spending two to three days at each unless it was an exceptionally small house. Two to three days were certainly not excessive for the amount of work which they had to get through. Their instructions required them to enquire into the reputation of the houses, the wishes of their inmates regarding their continuance in religion, the number of servants, the debts due to and from the house. They had to estimate the value of lead and bells, make an inventory of all the goods and finally survey and value the demesnes and check the rentals. Thoroughly done, at any but the smallest houses, these calculations must have taken at least two days. Allowance must also be made for the length of time necessary for four to six men, probably accompanied by at least three servants (the king allowed for three—it may well have been more), to move from one house to the next.

The programme was reasonable enough for the receivers' circuits which included only a handful of monastic houses which fell within the Act, but, since time was pressing, areas including large numbers of smaller houses were immediately in difficulties. In Yorkshire, which contained the largest number of all, the commissioners started work rapidly: on 8 May (if the dates may be trusted) they were at Arden, a curious starting place. From Arden they passed to Esholt (10 May) and then across the Pennines to Sawley (13 May). Except where journeys of this length and difficulty are concerned, the accounts suggest that they spent only a day at each Yorkshire house: scarcely enough, one would have thought, to complete the detailed surveys of rentals and demesnes that survive. The order in which they tackled the houses, moreover, would not have been entirely approved by a modern expert in time and motion, though groups of houses in the same area were generally taken consecutively.¹ The explanation probably lies in the special orders given to the commissioners: they were, for example, to dissolve Sawley and Marton at the survey and as quickly as possible. The speed was attainable, but only if the commissioners divided up and each tackled a separate task, which was not, strictly speaking, within the terms of their instructions.

A much more difficult problem is presented by the surviving evidence for another of the large circuits, Norfolk and Suffolk. Here, the receivers' and ministers' accounts supply a date for only two houses (Flixton in Suffolk and Crabhouse in Norfolk), but dated inventories of goods exist for all the Suffolk houses and for some of the Norfolk ones, and these can be

¹ A quite different, undated, order is given in the summary of the commissioners' claims for expenses contained in the receivers' accounts, but this makes absolutely no sense, moving as it does from a house at one end of the county to a house at the other and back again; for a detailed discussion of the suppression of the Yorkshire houses cf. G. W. O. Woodward, 'The exemption from suppression of certain Yorkshire priories', *Eng. Hist. Rev.*, lxxvi (1961), 385-401.

supplemented and confirmed by the dated and sometimes signed original depositions of the monastic superiors. The dates then produced, however, present certain difficulties. In various cases two houses are given as surveyed on the same day: Coxford and Hempton on 11 August, Herringfleet and Blythburgh on 20 August and Leiston and Flixton on the following day. Now these pairs of houses are not excessively far apart, but it is still incredible that the commissioners could as a single group have completed a survey of two moderately-sized houses on the same day.

Moreover, for these counties (and to my knowledge, for these counties only) the account of the commissioners' claims for expenses at the survey and dissolution has survived.¹ And the dates given in this do not tally at all with the dates in the indentures of goods. Nor do the dates which it gives for the dissolution tally with the dates (which agree within a day or two) for the dissolution given in the accounts, the book of sale of goods and the dates on the rewards given to the religious on their departure.²

How is this to be explained? Must one or other be jettisoned, or must we simply conclude that none is reliable? It would be unwise to assume that the dates alleged for the dissolution in the ministers' and receivers' accounts are without real significance. They marked, for the accountant, the date from which he was wholly and solely responsible for all the returns from the demesnes (rented property had basically been his responsibility from the date of the Act). The accountant would therefore be unlikely grossly to antedate the act—or to be allowed to post-date it by his superiors. Similarly, although the survey dates had less significance, they do mark the moment from which the accountant and the superior of the house had to make detailed accounts of receipts and expenditure.

The inventories, which are generally dated, moreover, are made in the form of indentures, one part signed by the commissioners and kept by the superior of the house, the other part signed by the superior and kept by the commissioners. Although signatures could of course be added later, it seems at the least unlikely and at best imprudent for a superior to sign his part and surrender it without obtaining on the other half the signature of at least one of the commissioners.

The claim for expenses, however, has certain unreal features. It was clearly drawn up as a single entity, entering fairly regular amounts for unspecified meals and so on, and was certainly not the rough account (if such were kept) in which entries were made daily. Moreover, when it was drawn up the accountant made an error of one day in the alignment of date and day of the week, so that 5 August 1536 is given as a Sunday and not, as it should be, a Saturday. Possibly confusion had arisen because 1536 was a leap year—but counting only twenty-eight days in February would make 5 August a Friday, not a Sunday. The error does not inspire confidence, since indicated days of rest correspond with the accountants' (erroneous)

¹Public Record Office, S.P. 5/2 fos. 247–259d.

²See Tables I and II below for references.

Sundays. The route given is reasonable enough. If it makes one or two curious turns, this is no more than most of the routes followed by the commissioners do, and as does the route indicated by the dates on the inventories. The claim allows regularly two days to each house named, and, though at least half a day would have been consumed in travelling, this left the commissioners longer than the Yorkshire commissioners to complete their work. More surprisingly, they made no claims about visiting several houses. Their failure to visit Bungay in Suffolk is doubtless explained by the fact that the house had been taken over by its founder, the duke of Norfolk, about 29 November 1535, when, or so Norfolk claimed, there was not one nun remaining. The house was not included in the book of suppressed lands although the king kept the duke waiting for confirmation of his title. Similarly Woodbridge in Suffolk, for which the commissioners made no claim during the survey or the dissolution, had also come under Norfolk's eye. He had paid £30 of its debts and taken the convent seal with the intention of converting the house to his own use. Here he was less successful, for the king ultimately granted it elsewhere.¹ Norfolk's influence may explain why the commissioners did not visit it in August, but not why they did not go on to suppress it formally.

Their failure to claim for visiting houses for which they sent in a return or which they suppressed at the dissolution is more surprising. Weybridge was very small and might perhaps have been dealt with from another house, but Beeston, although not suppressed, had certificates made out for it in a perfectly normal fashion and so did Bruisyard in Suffolk which also obtained exemption. Flitcham, since it claimed to be a cell of Walsingham, was probably not visited, and Hickling in Norfolk, since it had been specially granted by Act of Parliament, may not have been, though the commissioners referred the bishop's claim for goods and chattels to the central court. Certainly they did not actually visit Ingham (which had been 'sold' to William Woodhouse by the superior, they claimed, on 24 December 1534) for in reply to a message sent to Ingham by the commissioners, instructing the inmates of the house to 'put their books and necessaries in due order', Woodhouse brought the evidence of his purchase to the commissioners—and as a further safeguard alleged that it was a house of Crutched Friars and so did not fall within the Act.²

The letter in which the commissioners reported on this to the central court casts yet more suspicion on the expense account, since it is dated from Coxford on 11 August 1536, which fits the inventory date very well, but does not agree with the account according to which the commissioners visited Coxford on 30–31 July and had got as far as Herringfleet in Suffolk by 10 August. Further doubts are cast on the veracity of the expense account

¹ *Letters and Papers, Foreign and Domestic, Henry VIII*, x, Nos. 599, 1236; xi, No. 434.

² *Ibid.*, xi, No. 261. One wonders, however, how genuine the bargain was since Legh and Layton found two religious to report upon (unfavourably) in 1535–6 (*ibid.*, x, No. 364, p. 143).

when one pauses to consider the other activities of the auditor, Thomas Mildmay. As auditor, he also had other counties to cover and in the early part of July had been at work dissolving houses in Essex. Unfortunately all the dates for these are not available, but Castle Hedingham continues until 13 July according to its inventory, at which time, according to the expense account, Mildmay was at Horsham St. Faiths, while Beeleigh continued until about 22 July.¹

While, therefore, it is still just possible that the commissioners travelled around regularly as the expense account suggests, leaving behind one member to complete the inventory at his leisure and bring it on with him (an explanation which would fit the gradually converging dates), it seems far more likely that the overwhelming evidence from other areas in which inventory dates corroborate the dates in the ministers' accounts, and the suspicious circumstances surrounding its own compilation brand the account book as fictional in the grand tradition of expense accounts. It seems probable that the commissioners in fact, whether they accomplished the task by dividing forces or otherwise, followed the course indicated by the inventories, receivers' accounts and books of sale. It is possible that they left servants behind to complete the work of surveying the rentals, which are never given a precise date and are less likely to change overnight, but at least at Thetford, where the prior's depositions are scribbled on the bottom of the survey of demesne lands, the commissioners themselves must have surveyed the demesnes. One thing is certain: the commissioners had started work in East Anglia late, and were acutely conscious of the need to make as good speed as possible if great losses amongst the goods and chattels were to be avoided. To this end they drafted a letter asking for permission (which they evidently did not obtain) to dissolve the houses, at least in Suffolk, at the first visitation, as they would not otherwise be finished by All Hallowtide (1 November), which was, as it turned out, an optimistic assessment.² In these circumstances, they are likely to have taken whatever means were consonant with the most pressing need to return the brief certificates to the king after taking inventories and 'bonds of the superior of the house for his honest dealing with the king's property'. It is probably significant that it is for Norfolk and Suffolk that we have most letters about revaluing property and new surveys 'by measure and not by credit only' in the year after the suppression.

To assert the basic accuracy of the dates given in the ministers' and receivers' accounts does not, however, mean that the day given (which had significance to the accountant in terms of his financial responsibility) was necessarily the day on which the monks left or even the day on which the commissioners arrived. The process of dissolution took some time, generally three or four days. If the commissioners were pressed for time, they might either send on their servants to make all ready for their formal stamp

¹ *Ibid.*, xi, No. 274, App. No. 1.

² P.R.O., S.P. 5/3 fo. 26.

of approval, or leave the goods in trust with the farmer whom they installed until their sale or removal could be arranged. The day given, then, is not the only one on which the commissioners were at work. The subsidiary documents may be dated a day or two before or after the date given in the receivers' accounts. It does not necessarily imply that the commissioners considered that they had finished on that day, although their activities were rarely as prolonged as they were at Boxgrove in Sussex: there the given day is 7 March 1537, the day on which rewards were given to the monks—but on 26 March John Morris could write to Cromwell that he, Sir John Dawtree and Master Palmer had 'finished' the business and according to instructions put Lord de la Warr in possession.¹

The table of dissolution dates printed below (Table III) includes only those houses dissolved under the Act of 1536.² It does not include other houses which came to an end at or about this time, houses such as Sibton in Suffolk which sold out to the duke of Suffolk in 1536 though it did not come under the Act, Bungay which gave up in the course of 1535, or houses dissolved in 1536 and 1537 by attainder, like Barnstaple in Devon. The Yorkshire houses which continued without any explicit grant of toleration from the king and which, when finally shut down, were treated as if they fell under the Act have also been omitted as it is unlikely that they would have fallen had the greater monasteries not also fallen. Cells were generally exempt unless the mother house itself was worth less than £200, but Calwich in Staffordshire, although it was a cell of Kenilworth, seems to have come into lay hands about 1536: at least, this is the date usually assigned to the letter about its management 'after the departure of the prior' printed both by Wright and by Cook. It seems most likely, however, that it came into lay hands—those of Sir Ralph Longford—either in 1534 or 1535,³ and as it was certainly not suppressed by regular commissioners⁴ it has also been omitted.

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¹*Three Chapters of Letters relating to the Suppression of Monasteries*, ed. T. Wright (Camden old ser., xxvi, 1843), p. 127; *Letters to Cromwell and others on the Suppression of the Monasteries*, ed. G. H. Cook (1965), p. 91.

²Where such a house was suppressed in 1536–7 but the accounts omit the precise date, the name of the house has been included in the list with no further reference.

³*L. & P. Hen. VIII*, xi, No. 1411.

⁴P.R.O., Exchequer, Augmentations Office, E 323/1.

TABLE I

Comparison of survey dates for Norfolk and Suffolk given in commissioners' claims, inventories and ministers' accounts

<i>House</i>	<i>Claims for expenses, S.P. 5/2 fos. 247-54 1536</i>	<i>Inventories and ministers' accounts</i>
NORFOLK		
Carrow	10-11 July	
Horsham St. Faiths	12-13 July	
Langley	14-15 July	
Buckenham	16-17 July	1 Aug. S.P. 5/3 fo. 25
Thetford Canons & Nuns	18-19 July	15 Aug. S.C. 6/Hen. VIII/2621
Marham	20-21 July	6 Aug. E 117/11/7
Crabhouse	22-23 July	7 Aug. L. & P. Hen. VIII xii (1) No. 243; 13 Aug. S.P. 5/3 fo. 33; 14 Aug. S.C. 6/Hen. VIII/2621
Pentney	24-25 July	
Blackborough	26-27 July	
Hempton	28-29 July	11 Aug. L. & P. Hen. VIII xii (1) No. 231
Coxford	30-31 July	11 Aug. <i>Ibid.</i> xi No. 274
Wendling	1-2 Aug.	
Weybourne	3-4 Aug.	12 Aug. <i>Ibid.</i> xi App. No. 5
Cromer	Sun. 5 Aug.	
Broomholm	Night 5-7 Aug.	
Yarmouth	Night 7-8 Aug.	
SUFFOLK		
St. Olave Herringfleet	Night 8-10 Aug.	20 Aug. E 117/12/7
Bungay	That night 10 Aug.	
Flixton	11-12 Aug.	21 Aug. E 117/12/7
Blythburgh	Night 12-14 Aug.	20 Aug. E 117/12/7
Leiston	Night 14-16 Aug.	21 Aug. E 117/12/7
Campsey Ash	Night 16-18 Aug.	23 Aug. E 117/12/7
Ipswich Holy Trinity	Night 18-20 Aug.	24 Aug. E 117/12/7
Stowmarket	Night 20-21 Aug.	
Ixworth	Noon 21-22 Aug.	28 Aug. E 117/12/7
Redlingfield	23-24 Aug.	25-26 Aug. E 117/12/7
Letheringham	25-26 Aug.	24 Aug. E 117/12/7
Eye	27-28 Aug.	26-28 Aug. E 117/12/7
Bruisyard		22 Aug. L. & P. Hen. VIII xi No. 347

TABLE II

Comparison of dissolution dates for Norfolk and Suffolk given in commissioners' claims, inventories and ministers' accounts

<i>House</i>	<i>Claims for expenses, S.P. 5/2 fos. 247-54</i>	<i>Inventories and ministers' accounts</i>
NORFOLK	1536	
Buckenham	22-24 Sept.	2 Sept. S.C. 6/Hen. VIII/2621
Wendling	25-27 Sept.	No date
Norwich (for Carrow)	28-29 Sept.	In prioress's hands for whole time of account
Horsham St. Faiths	30 Sept.-1 Oct.	
Langley	2-3 Oct.	2 Oct. " L.R. 12/25/914; S.C. 6/Hen. VIII/2621
Thetford Canons & Nuns	4-5 Oct.	4 Oct. L.R. 12/25/914; S.C. 6/Hen. VIII/2621
Pentney	6 Oct., not suppressed because of the insurrection	6 Oct., not dissolved
	1537	
Coxford	10-11 Jan.	22 Jan. S.P. 5/3 fo. 98
Fakenham (for Hempton)	12-13 Jan.	24 Jan. S.P. 5/1 fo. 117
Marham	14-15 Jan.	25 Jan.
Crabhouse	16-17 Jan.	26 Jan. S.P. 5/3 fo. 28
Blackborough	18-20 Jan.	27 Jan. S.P. 5/4 fo. 140; S.P. 5/1 fo. 121
'Cleye'	That same night, 20-21 Jan.	
Broomholm	Noon 21-23 Jan.	29 Jan.
Yarmouth	Night 23 Jan.	
SUFFOLK	1537	
Herringfleet	Noon 24-26 Jan.	10 Feb. Goods sold 3 Feb., S.P. 5/1 fo. 124d
Bungay (for Flixton)	Night 26-29 Jan.	4 Feb., <i>ibid.</i> fo. 124
Blythburgh	Night 29-31 Jan.	4 Feb.
Leiston	1-3 Feb.	6 Feb.
Campsey Ash	Noon 3-6 Feb.	7 Feb.: 8 Feb., S.P. 5/1 fo. 126
Ipswich	Night 6-9 Feb.	9 Feb., <i>ibid.</i> fo. 124d
At Stowmarket	9-10 Feb.	
Ixworth	Noon 10-13 Feb.	11 Feb., S.P. 5/1 fo. 126
Letheringham	Night 13-15 Feb.	7 Feb. Goods sold 8 Feb., <i>ibid.</i> fo. 128
Redlingfield	Night 15-17 Feb.	10 Feb. Goods sold 10 Feb., <i>ibid.</i> fo. 131r
Eye	18 Feb.	10 Feb. Goods sold 12 Feb., <i>ibid.</i> fo. 133
Woodbridge		11 Feb.
NORFOLK		
Pentney		15 Feb. Goods sold 16 Feb., S.P. 5/1 fo. 121

TABLE III

Dissolution dates of houses dissolved under the Act of 1536^a

The arabic figures in brackets after the names of the county give the receivers' circuits to which the counties belonged, numbered according to the order assigned to them in the first treasurer's account in the Court of Augmentations. Roman numerals after the county are assigned to the auditor's circuits according to the sequence in which they are normally named in the court records (P.R.O., Exchequer, Augmentations Office, E 323/1). The letters in brackets indicate the order to which the house belonged, as follows:

A = Augustinian canons	BT = Black monks, of Tiron
AN = Augustinian canons	C = Cistercian monks
B = Benedictine monks	CN = Cistercian nuns
BC = Chuniacs	PC = Premonstratensian canons
BN = Benedictine nuns	PN = Premonstratensian canons

	<i>Survey</i>	<i>Dissolution</i>
Bedfordshire (4) IV		
Bushmead (A)	3 Sept. 1536 S.C. 6/3479/1 Addenda	4 Jan. 1537 S.C. 6/3479/1 Addenda
Caldwell (A)	8 Sept. 1536 S.C. 6/3479/1 Addenda	8 Feb. 1537 S.C. 6/3479/1 Addenda
Harrold (AN)	5 Sept. 1536 S.C. 6/3479/1 Addenda	29 Jan. 1537 S.C. 6/3479/1 Addenda
Berkshire (2) IV		
Markyate ^b (BN)		
Bisham (A)		
Hurley (B)		
Buckinghamshire (2) IV		
Ankerwyke (BN)	10 May 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	20 June 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234
St. Margarets, Ivinghoe ^b (BN)	10 June 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	5 Aug. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234
Lavendon (PC)	6 June 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	31 July 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234

TABLE III (*continued*)

	<i>Survey</i>	<i>Dissolution</i>
Buckinghamshire (2) IV (<i>continued</i>)		
Little Marlow (BN)	18 May 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	27 June 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234
Medmenham (C)	21 May 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	4 July 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234
Snelshall (B)	28 May 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234	23 July 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/234
Cambridgeshire (14) I		
Anglesey (A)		Before 8 Aug. 1536 S.C. 6/Hen. VIII/7294
Ickleton (BN)		11 weeks after survey
Swaffham Bulbeck (BN)		10 weeks after survey
Cheshire (12) VI		9 weeks after survey
Birkenhead (B)		
Norton (A)		
Cornwall (7) III		
Tywardreath (B)		Before 12 Oct. 1536 L. & P. Hen. VIII xi No. 681
Cumberland (10, 11) VIII		
Armthwaite (BN)		10 Aug. 1536 S.C. 6/Hen. VIII/451
Calder ^c (C)	18 July 1536 S.C. 6/Hen. VIII/7346	12 Aug. 1536 S.C. 6/Hen. VIII/7371
Lancroost (A)	23 June 1536 S.C. 6/Hen. VIII/7467	2 Sept. 1536 S.C. 6/Hen. VIII/7467
Seton ^c (BN)	16 July 1536 E 315/399	4 March 1537 S.C. 6/Hen. VIII/7371
	24 June 1536 S.C. 6/Hen. VIII/7467; E 315/399	1 Sept. 1536 S.C. 6/Hen. VIII/7467
Derbyshire (12) VI		
Beauchief (PC)	2 Aug. 1536 L. & P. Hen. VIII xi No. 216	4 Feb. 1537 V.C.H. Derby, ii. 69
Breadsall (A)		

Church Gresley (A)
King's Mead, Derby (BN)

Devon (7) III

Cornworthy (AN)
St. Nicholas, Exeter (B)
Frithestock (A)
Totnes (B)

Essex (4) I

Beeleigh (PC)
Berden (A)
Castle Hedingham (BN)
St. Botolphs, Colchester (A)
Earl's Colne (B)
Hatfield Broad Oak (Regis) (B)
Leighs (A)
Little Dunmow (A)
Prittlewell (BC)
Thremhall (A)
Tilky (C)

Gloucestershire (3) II

St. Mary Magdalene, Bristol (AN)
Flaxley (C)

St. Oswalds, Gloucester (A)

Hampshire (3) II

Breamore (A)
Mottisfont (A)
Netley (C)
Quarr (C)

?18 Aug. 1536 S.C. 6/Hen. VIII/593
22 Sept. 1536 S.C. 6/Hen. VIII/593
27 Aug. 1536 S.C. 6/Hen. VIII/593
? 23 Aug. 1536 S.C. 6/Hen. VIII/593

c. 22 July 1536 L. & P. Hen. VIII xi App. No. 1
10 July 1536 Fowler,^d p. 347
13 July 1536 *ibid.*, p. 292

9 July 1536 *ibid.*, p. 384
Before 28 July 1536 L.R. 12/81/1136
11-12 July 1536 L. & P. Hen. VIII xi No. 57
Before 28 July 1536 L.R. 12/81/1136
10 July 1536 S.C. 6/Hen. VIII/7485 (Essex)
Before 28 July 1536 L.R. 12/81/1136

Late June 1536 L. & P. Hen. VIII xi No. 307

30 Aug. 1536 S.C. 6/Hen. VIII/1212

10 July 1536 E 315/400 fo. 23d
23 May 1536 S.C. 6/Hen. VIII/7415
16 July 1536 E 315/400 fo. 23d
14/22 July 1536 E 315/400 fo. 23d; S.C.
6/Hen. VIII/7415

6 June 1536 S.C. 6/Hen. VIII/593
11 June 1536 S.C. 6/Hen. VIII/593
8 June 1536 S.C. 6/Hen. VIII/593

6 June 1536 Fowler,^d p. 335
18 June 1536 *ibid.*, p. 346
13 June 1536 *ibid.*, p. 289
May 1536 *ibid.*, p. 280
10 June 1536 *ibid.*, p. 330
19 June 1536 *ibid.*, p. 380
1 June 1536 *ibid.*, p. 391
3 June 1536 *ibid.*, p. 282
8 June 1536 *ibid.*, p. 384
16 June 1536 *ibid.*, p. 341
3 March 1536

Late May 1536 S.C. 6/Hen. VIII/7415
Before 30 May 1536 S.C. 12/33/27

23 May 1536 E 315/400 fo. 23d

TABLE III (*continued*)

	<i>Survey</i>	<i>Dissolution</i>
Hampshire (3) II (<i>continued</i>)		
St. Denys (A)		11 July 1536 E 315/400 fo. 23d
Wintney (CN)		
Herefordshire (6) V		
Abbey Dore (C)	Sept. 1536 S.C. 6/Hen. VIII/7319	After Mich. 1536 S.C. 6/Hen. VIII/7319, 7330
Clifford (BC)	Sept. 1536 S.C. 6/Hen. VIII/7319	
Flanesford (A)	Sept. 1536 S.C. 6/Hen. VIII/7319	
Hertfordshire (4) I		
Cheshunt (BN)	28 May 1536 Brit. Mus., Stowe MS. 141 fo. 17	16 Apr. 1537 S.P. 5/1 fos. 24-7
Flamstead (BN)	3 March 1537 L. & P. Hen. VIII xii (1) No. 571	12 Apr. 1537 S.P. 5/1 fos. 24-7
Royston (A)	5 March 1537 <i>ibid.</i> , No. 571	9 Apr. 1537 S.P. 5/1 fos. 24-7
Sopwell (BN)	2 March 1537 <i>ibid.</i> , No. 571	14 Apr. 1537 S.P. 5/1 fos. 24-7
Wymondley (A)	4 March 1537 <i>ibid.</i> , No. 571	11 Apr. 1537 S.P. 5/1 fos. 24-7
Huntingdonshire (14) I		
Hinchbrooke (BN)		Before 8 Aug. 1536 S.C. 6/Hen. VIII/7494
Sawtry (C)		
Stonely (A)		
Kent (9) IV		
Bilsington (A)		Before 30 Sept. 1536 L.R. 6/97/1
St. Gregory, Canterbury (A)		c. 25 March 1537 L.R. 6/97/1
St. Sepulchre, Canterbury (BN)		28 March 1537 L.R. 6/97/1
Combwell (A)		22 March 1537 L.R. 6/97/1
Dover (B)		
Folkestone (B)		
Langdon (PC)		
	8 March 1537 L.R. 6/97/1	
	11 March 1537 L.R. 6/97/1	
		} Before 30 Sept. 1536 L.R. 6/97/1

12	St. Sexburga, Minster (AN)	Before 30 Sept. 1536 L.R. 6/97/1
	Monks Horton (BC)	c. 25 March 1537 L.R. 6/97/1
	St. Radegunds (PC)	? 26 Oct. 1537 L.R. 6/97/1
	Lancashire (Duchy of Lancaster)	
	Burscough (A)	16-20 Aug. 1536 D.L. 41/11/49
	Cartmel (A)	3-9 Sept. 1536 D.L. 41/11/49
	Conishead (A)	9-13 Sept. 1536 D.L. 41/11/49
	Upholland (B)	23-25 Aug. 1536 D.L. 41/11/49
	Leicestershire (5) V	
	Bradley (A)	Late Aug. 1536 S.C. 6/Hen. VIII/1825
	Garendon (C)	20 Sept. 1536 S.C. 6/Hen. VIII/1825
	Kirby Bellars (A)	31 Aug. 1536 S.C. 6/Hen. VIII/1825
	Langley (BN)	24 Sept. 1536 S.C. 6/Hen. VIII/1825
	Owston (A)	25 Aug. 1536 S.C. 6/Hen. VIII/1825
	Lincolnshire (1) VI	After 7 Aug. 1536 L. & P. Hen. VIII xi No. 242
	Bourne (A)	
	Elsham (A)	
	Gokewell (CN)	
	Greenfield (CN)	
	Hagneby (PC)	
	Humberston (B)	
	Legbourne (CN)	
	Louth Park (C)	
	Markby (A)	
	Newbo (PC)	
	Newsham (PC)	
	Newstead (A)	
	Nocton (A)	
	Stainfield (BN)	

TABLE III (*continued*)

<i>Survey</i>	<i>Dissolution</i>
Lincolnshire (1) VI (<i>continued</i>)	
Stixwold (CN)	
Swineshead (C)	
Thornholme (A)	
Torksey (A)	
Tupholme (PC)	
Vaudey (C)	
Wellow (A)	
London and Middlesex (9) I	
Elsing Spital	
Kilburn (BN)	
Stratford at Bow (BN)	
Norfolk (16) I	
Blackborough (BN)	
Broomholm (BC)	
Buckenham (A)	
Coxford (A)	
Crabhouse (AN)	
Hempton (A)	
Horsham St. Faiths (B)	
Langley (PC)	
Marham (CN)	
Pentney (A)	
	Before 23 May 1536 S.C. 6/Hen. VIII/2424
	27 Jan. 1537 S.C. 6/Hen. VIII/2621; S.P. 5/1 fo. 116
	29 Jan. 1537 S.C. 6/Hen. VIII/2621; L.R. 12/26/914
	2 Sept. 1536 S.C. 6/Hen. VIII/2621
	22 Jan. 1537 S.C. 6/Hen. VIII/2621
	26 Jan 1537 S.C. 6/Hen. VIII/2621
	24 Jan. 1537 S.C. 6/Hen. VIII/2621
	After 30 Sept. 1536 S.C. 6/Hen. VIII/2621
	2 Oct. 1536
	25 Jan. 1537
	15-16 Feb. 1537 L.R. 12/26/914; S.P. 5/1 fo. 121
	1 Aug. 1536 S.P. 5/3 fo. 25
	11 Aug. 1536 L. & P. Hen. VIII xi No. 274
	13 Aug. 1536 S.P. 5/3 fo. 33
	11 Aug. 1536 L. & P. Hen. VIII xii (1) No. 231
	6 Aug. 1536 E 117/11/7

Thetford Canons (A)	15 Aug. 1536 S.C. 6/Hen. VIII/2621	4 Oct. 1536
Thetford Nuns (BN)		After 30 Sept. 1536
Wendling (PC)		
Weybourne (A)	12 Aug. 1536 L. & P. Hen. VIII xi App. No. 5	22 Jan. 1537
Weybridge (A)		4 Jan. 1537
Wormegay (Cell of Pentney A)		15 Feb. 1537
Northamptonshire (5) V		
Canons Ashby (A)	15 May 1536 S.C. 6/Hen. VIII/2792	27 June/2 July 1536 S.C. 6/Hen. VIII/2792
Catesby (CN)	11 May 1536 S.C. 6/Hen. VIII/2792	27 July 1536 S.C. 6/Hen. VIII/2781
Chacombe (A)	6 July 1536 S.C. 6/Hen. VIII/2792	6 July 1536 S.C. 6/Hen. VIII/2781
Fineshade (A)	28 May 1536 S.C. 6/Hen. VIII/2792	14 July 1536 S.C. 6/Hen. VIII/2781
Rothwell (AN)	24 May 1536 S.C. 6/Hen. VIII/2792	13/14 July 1536 S.C. 6/Hen. VIII/2781
Sewardsley (CN)	16 May 1536 S.C. 6/Hen. VIII/2792	10 July 1536 S.C. 6/Hen. VIII/2781
Stamford (BN)	31 May 1536 S.C. 6/Hen. VIII/2792	18 July 1536 S.C. 6/Hen. VIII/2781
Northumberland (11) VIII		
Brinkburn (A)	6 July 1536 S.C. 6/Hen. VIII/7371	14 March 1537 S.C. 6/Hen. VIII/7371
Hexham (A)	July 1536 E 315/399	5 March 1537 S.C. 6/Hen. VIII/7371
Lambley (BN)	15 July 1536 E 315/399	c. March 1537 S.C. 6/Hen. VIII/7371
Newminster (C)	1 July 1536 S.C. 6/Hen. VIII/7371	15/21 Sept. 1536 S.C. 6/Hen. VIII/7371
Ovingham (Cell of Hexham A)		5 March 1537 S.C. 6/Hen. VIII/7371
Nottinghamshire (12) VI		
Blyth (B)		Before Oct. 1536 L. & P. Hen. VIII xi No. 558
Broadholme (PN)		
Felley (A)		
Marak (Cell of Humberston B)		
Rufford (C)		
Shelford (A)		

TABLE III (*continued*)

	<i>Survey</i>	<i>Dissolution</i>
Oxfordshire (2) IV		
Bicester (A)	6 Sept. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924	1 Dec. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924
Bruern (C)	31 Aug. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924	13 Oct. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924
Dorchester (A)	22 Aug. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924	2 Oct. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924
Goring (AN)	18 Aug. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924	28 Sept. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924
Rewley (C)	25 Aug. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924	6 Oct. 1536 L.R. 6/95/1 & 2; S.C. 6/Hen. VIII/2924
Wroxton (A)		
Shropshire (6) V		
Brewood (White Ladies) (AN)	Sept. 1536 E 315/400	Sept. 1536 E 315/400
Buildwas (C)		
Chirbury (A)		
Wombridge (A)		
Somerset (7) III		
Barlinch (A)	3 June 1536 S.C. 6/Hen. VIII/3127	7 Sept. 1536 S.C. 6/Hen. VIII/3127
Barrow Gurney (BN)	26 May 1536 S.C. 6/Hen. VIII/3127	19 Sept. 1536 S.C. 6/Hen. VIII/3127
Cannington (BN)	26 May 1536 S.C. 6/Hen. VIII/3127	23 Sept. 1536 S.C. 6/Hen. VIII/3127
Cleeve (C)		6 Sept. 1536 S.C. 6/Hen. VIII/3127
Woodspring (A)	6 May 1536 S.C. 6/Hen. VIII/3127	27 Sept. 1536 S.C. 6/Hen. VIII/3127
Staffordshire (6) V		
Ranton (A)	March 1537 E 315/400	c. Aug. 1537 S.C. 6/Hen. VIII/3352, 3361
Stone (A)	March 1537 L. & P. Hen. VIII xii (1) No. 638	29 Aug. 1537 S.C. 6/Hen. VIII/3352, 3361

Trentham (A)	After 12 March 1537 L. & P. Hen. VIII xii (1) No. 638	9 Aug. 1537 S.C. 6/Hen. VIII/3352, 3361
Suffolk (16) I		
Blythburgh (A)	20 Aug. 1536 E 117/12/7	4 Feb. 1537 S.C. 6/Hen. VIII/3408
Campsey Ash (AN)	23 Aug. 1536 E 117/12/7	3-7 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 130
Eye (B)	26-28 Aug. 1536 E 117/12/7; L. & P. Hen. VIII xii (1) No. 455	10-12 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 136
Flixton (AN)	21 Aug. 1536 E 117/12/7	4 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 124
St. Olave, Herringfleet (A)	20 Aug. 1536 E 117/12/7	10 Feb. 1537 S.C. 6/Hen. VIII/3408
Holy Trinity, Ipswich (A)	24 Aug. 1536 E 117/12/7	6-9 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 126
Ixworth (A)	28 Aug. 1536 E 117/12/7	11 Feb. 1537 S.C. 6/Hen. VIII/3408
Leiston (PC)	21 Aug. 1536 E 117/12/7	6 Feb. 1537 S.C. 6/Hen. VIII/3408
Letheringham (A)	24 Aug. 1536 E 117/12/7	7-8 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 125d
Redlingfield (BN)	26 Aug. 1536 E 117/12/7; L. & P. Hen. VIII xii (1) No. 388	10 Feb. 1537 S.C. 6/Hen. VIII/3408; S.P. 5/1 fo. 131d
Woodbridge (A)		11 Feb. 1537 S.C. 6/Hen. VIII/3408
Surrey (13) IV		
Reigate (A)		28 Jan. 1537 S.C. 6/Hen. VIII/3462
Tandridge (A)		c. 30 Sept. 1536 S.C. 6/Hen. VIII/7442
Waverley (C)		c. 25 March 1537 S.C. 6/Hen. VIII/7442
Sussex (13) IV		
Boxgrove (B)		7 March 1537 S.C. 6/Hen. VIII/7442

TABLE III (*continued*)

		Survey	Dissolution
Sussex (13) IV (<i>continued</i>)			
Durford (PC)			
Easebourne (AN)			
Michelham (A)			
Rusper (BN)			
Shulbred (A)			
Tortington (A)			
Warbleton (Hastings New Priory A)			
Warwickshire (5) V			c. 25 March 1537 S.C. 6/Hen. VIII/7442
Arbury (A)		July 1536 E 315/400	
Henwood (BN)		Aug. 1536 E 315/400	
Maxstoke (A)		30 July 1536 S.C. 6/Hen. VIII/3734	
Pinley (CN)		Aug. 1536 E 315/400	
Stoneleigh (C)		9 Aug. 1536 S.C. 6/Hen. VIII/3734	
Studley (A)		18 Aug. 1536 S.C. 6/Hen. VIII/3734	
St. Sepulchre, Warwick (A)		11 Aug. 1536 S.C. 6/Hen. VIII/3734	
Wroxall (BN)		14 Aug. 1536 S.C. 6/Hen. VIII/3734	
Wiltshire (3) II		Before 1 July S.C. 12/33/27	
Easton in Burbage			
Ivy Church (A)			9 weeks 2 days after survey S.C. 6/Hen. VIII/7415
Kington St. Michael (BN)			10 weeks 4 days after survey
Maiden Bradley (A)			21 Aug. 1536 S.C. 6/Hen. VIII/3969
Monkton Farleigh (BC)			10 weeks after survey S.C. 6/Hen. VIII/7415
Stanley (C)			
Worcestershire (6) V			
Malvern Little (B)		Aug. 1536 E 315/400	

Westwood (BN)	Aug. 1536 S.C. 6/Hen. VIII/4039	29 Sept. 1536 S.C. 6/Hen. VIII/4039
Whistones (CN)	Aug. 1536 S.C. 6/Hen. VIII/4039	5 Oct. 1536 S.C. 6/Hen. VIII/4039
Yorkshire ^e (10, 15) VII, VIII		
N. Arden (BN)	8 May 1536 S.C. 6/Hen. VIII/4641	25 Aug. 1536 S.C. 6/Hen. VIII/4641
Clementhorpe (York) (BN)	13 June 1536 S.C. 6/Hen. VIII/4641	31 Aug. 1536 S.C. 6/Hen. VIII/4641
N. Coverham (PC) ^f	16 June 1536 S.C. 6/Hen. VIII/7467	14 Aug. 1536 S.C. 6/Hen. VIII/7467
W. Drax (A)	15 June 1536 S.C. 6/Hen. VIII/4641	24 Aug. 1536 S.C. 6/Hen. VIII/4641
N. St. Agatha, Easby (PC) ^f	17 June 1536 S.C. 6/Hen. VIII/7467	
N. Ellerton (CN) ^f	16 June 1536 S.C. 6/Hen. VIII/7467	
E. Haltemprice (A)	26 May 1536 S.C. 6/Hen. VIII/4641	18 Aug. 1536 S.C. 6/Hen. VIII/7467
W. Healaugh Park (A)	9 June 1536 S.C. 6/Hen. VIII/4641	12 Aug. 1536 S.C. 6/Hen. VIII/4641
N. Keldholme (CN)	8 June 1536 S.C. 6/Hen. VIII/4641	4 Aug. 1536 S.C. 6/Hen. VIII/4641
N. Marton (A)	19 May 1536 S.C. 6/Hen. VIII/4641	5 Aug. 1536 S.C. 6/Hen. VIII/4641
N. Moxby (BN)	28 May 1536 S.C. 6/Hen. VIII/4641	19 May 1536 S.C. 6/Hen. VIII/4641
E. North Ferriby (A)	24 May 1536 S.C. 6/Hen. VIII/4641	4 Aug. 1536 S.C. 6/Hen. VIII/4641
E. Nunburnholme (BN)	22 May 1536 S.C. 6/Hen. VIII/4641	13 Aug. 1536 S.C. 6/Hen. VIII/4641
W. Nun Monkton (BN) ^f	11 June 1536 S.C. 6/Hen. VIII/7467	11 Aug. 1536 S.C. 6/Hen. VIII/4641
N. Rosedale (CN)	7 June 1536 S.C. 6/Hen. VIII/4641	11 Aug. 1536 S.C. 6/Hen. VIII/7467
W. Sawley (C)	13 May 1536 S.C. 6/Hen. VIII/4641	17 Aug. 1536 S.C. 6/Hen. VIII/4641
W. Sinningthwaite (CN)	10 June 1536 S.C. 6/Hen. VIII/4641	13 May 1536 S.C. 6/Hen. VIII/4641
E. Warton (A)	21 May 1536 S.C. 6/Hen. VIII/4641	3 Aug. 1536 S.C. 6/Hen. VIII/4641
Trinity Priory York	3 June 1536 S.C. 6/Hen. VIII/4641	11 Aug. 1536 S.C. 6/Hen. VIII/4641
		29 July 1536 S.C. 6/Hen. VIII/4641
WALES (8) IX		
Anglesey		
Penmon (A)		
Puffin Island (Cell of Penmon A)		

TABLE III (*continued*)

	<i>Survey</i>	<i>Dissolution</i>
Breconshire		
Brecon (B)		12 Aug. 1536 L.R. 6/152/1
Caernarvonshire		
Bardsey (AC)		
Beddgelert (A)		
St. Tudwal's Island (A)		
Cardiganshire		
Llanllŷr (CN)	c. 30 Sept. 1536 L.R. 6/152/1	26 Feb. 1537 L.R. 6/152/1
Car-marthenshire		
Car-marthen (A)	c. 28 Oct. 1536 L.R. 6/152/1	17 Feb. 1537 L.R. 6/152/1
Talŷley (PC)		
Glamorganshire		
Margam (C)	20 June 1536 L.R. 6/152/1	23-24 Aug. 1536 L.R. 6/152/1
Merioneth		
Cymmer (C)		
Monmouthshire		
Abergavenny (B)	7 June 1536 L.R. 6/152/1	5-6 Sept. 1536 L.R. 6/152/1
Chepstow (B)	30 May 1536 L.R. 6/152/1	6-7 Sept. 1536 L.R. 6/152/1
Grace Dieu (C)	6 June 1536 L.R. 6/152/1	3 Sept. 1536 L.R. 6/152/1
Llantarnam (C)	10 June 1536 L.R. 6/152/1	27 Aug. 1536 L.R. 6/152/1
Tintern (C)		3 Sept. 1536 L.R. 6/152/1
Usk (BN)	8 June 1536 L.R. 6/152/1	29 Aug. 1536 L.R. 6/152/1
Montgomeryshire		
Llanllugan (CN)		
Strata Marcella (C)		

Pembrokeshire

Caldy (BT)	c. 29 Sept. 1536 L.R. 6/152/1	8 Apr. 1537 L.R. 6/152/1
Haverfordwest (A)	c. 2 Oct. 1536 L.R. 6/152/1	19 Feb. 1537 L.R. 6/152/1
Pill (BT)	c. 1 Oct. 1536 L.R. 6/152/1	23 Feb. 1537 L.R. 6/152/1
St. Dogmells (BT)	c. 20 Aug. 1536 L.R. 6/152/1	24 Feb. 1537 L.R. 6/152/1
Radnorshire		
Abbey Cwmhir (C)	c. 19 Sept. 1536 L.R. 6/152/1	2 March 1537 L.R. 6/152/1

^aNo houses fell under this Act in the following counties: Dorset, Durham, Rutland, Westmorland, Denbighshire, Flintshire.
^bNow in Hertfordshire.

^cIn archdeaconry of Richmond receivership.

^dR. C. Fowler, 'Inventories of Essex monasteries', *Trans. Essex Archaeol. Soc.*, new ser., ix (1906), 280-92, 330-47, 380-400.

^eN = North Riding; W = West Riding; E = East Riding.

^fIn archdeaconry of Richmond receivership.

The Two Lords' Journals of 1542

WHEN a committee of the Upper House examined the condition of the surviving manuscript Lords' Journals in 1717, it discovered that many of the volumes of the early Journals had been 'very indifferently bound'. It recommended that they 'should be new bound' and supplemented with marginal notes, and that indexes and a calendar should be compiled.¹ The committee's recommendations were adopted. For example, the Henrician Journals were bound into one volume and marginal notes were inserted.² Occasionally leaves of explanatory notes were added. One such note was inserted to explain the existence of two journals for the parliament of 33 Henry VIII (1542). It was the transcript of 'an ancient paper', dated 10 August 1717 and signed by William Cowper, clerk of the parliaments from 1716 to 1740, and bound between the two journals.

The reason that this yeare weare 2 Journall bookes seemeth to be for that Wm. Pagett Clerke of the pliam' was then Ambassador in Fraunce and his place of the said Clerkship executed by John Mason Secretary for the French tongue and Tho. Knight Clerke of the Signett.³

When the manuscript Journals were printed, in accordance with an order of the House in 1767,⁴ only one of the 1542 journals was included. A note in the printed volume states that, 'In the Original there are two Entries of the following Parliament, but the first is omitted,—the other being the most full'.⁵ This seems to imply that the first (hereafter referred to as MS. I) is simply an abridged version of the second (MS. II), on which the printed Journal is based. Yet there are significant differences in the two compilations, which cannot always be explained in terms of omission from MS. I of matter included in MS. II. Furthermore the extensive emendations in MS. II went unrecorded in the printed Journals, in particular the fact that on two days, 20 and 28 January, the entire journal has been deleted and rewritten.

The reason for the first case of deletion seems clear. The journal of one daily sitting normally occupied one page, which was divided into three columns. The left hand and centre columns contained lists of the lords

¹ *Lords' Journals*, xx. 530.

² H. S. Cobb, *House of Lords Record Office Memorandum No. 13* (1957), p. 19.

³ House of Lords Record Office, *Lords' Journals*, i. 495. I am grateful to the Clerk of the Records for permission to quote from the manuscript Journals, and wish to express my appreciation of the generous assistance I have received from the House of Lords Record Office.

⁴ Cobb, p. 7. A. F. Pollard demonstrated the many defects of the printed Journals in 'The authenticity of the Lords' Journals in the 16th century', *Trans. Royal Hist. Soc.*, 3rd ser., viii (1914), 17-39.

⁵ *Lords' Journals*, i. 163.

spiritual and lords temporal respectively, together with a record of their attendance. The right hand column alone was reserved for the record of the day's business. In normal circumstances this was adequate, for, with few exceptions, the record of business was confined to a brief statement of the stages in the passage of bills through the House. When it was impossible to record the day's business within this framework, the clerk began or continued the account of business on the next page (either the verso of the same leaf, or the recto of a fresh one).

In 1542 this practice was adopted on the opening day, 16 January, when the clerk included a report of the lord chancellor's address, and four days later, when the Speaker was presented.¹ On the latter occasion the clerk commenced a brief account of the proceedings, 'hodie communes presentabant Thomam Moyle electum prolocutorem suum quam quidem electionem Regia Ma^{tas}', wrote 'confir...' and scored it through, and concluded, 'quo Regis assensu confirmavit et datum fecit'.² The page was then deleted, presumably after the clerk had made a fair copy on the verso, which was divided in the usual manner into three columns. But the brief account of the Speaker's presentation was not transcribed on to the fair copy. Instead an expanded report of more than 450 words, written right across the page, was entered on a separate leaf.³ The clerk's activity on this occasion provides a possible clue as to the method employed in the compilation of the journal. The brief deleted account of the Speaker's presentation was hurriedly written, and may have been entered during the actual ceremony. But it is unlikely that the second account was written on the spot. Its detail and length, and the careful hand in which it was penned, strongly suggest that it was compiled from rough notes or minutes which the clerk made during the ceremony. It is known that this was the practice of the early seventeenth-century clerks, Robert Bowyer and Henry Elsynge the elder. Bowyer wrote, 'The Clerke of the Parliament doth every day (sitting in the House or Court) write into his rough or scribed Booke, not onely the reading of Bills and other proceedings of the House, But as farr forth, as he cann, whatsoever is spoken worthy observation'.⁴ The practice may have been in operation as early as 1542, though no draft minutes have survived to substantiate this suggestion.

The second deleted journal, that of 28 January,⁵ presents a more difficult problem. With two exceptions—the opening of parliament and the presentation of the Speaker—the mid sixteenth-century Journals did not usually incorporate epitomes or verbatim extracts of speeches. The 1542 parliament, however, had some exceptional business before it, the attainder of

¹MS. II, pp. 499–500, 506–7.

²*Ibid.*, p. 505.

³On the verso is the journal for the next daily sitting, arranged in the customary three columns.

⁴Petyt MS. 537, vol. i, quoted in E. Jeffries Davis, 'An unpublished manuscript of the Lords' Journals for April and May 1559', *Eng. Hist. Rev.*, xxviii (1913), 533.

⁵MS. II, p. 513.

Queen Katherine (Howard) and her associates, and the clerk recorded each step in the execution of that business with unusual fullness and detail.¹ On 28 January the lord chancellor advised the House to proceed with caution in the matter, and a committee was appointed to examine Katherine Howard. The clerk duly recorded in his journal the attendance for the day, by entering 'p' alongside the names of those who were present. In the third column he entered a lengthy account of the proceedings noted above. His account, however, was extensively emended and then the entire page, including the corrected version of the proceedings, was deleted. The time which elapsed between emendation and deletion remains a matter for speculation. It is probable that, once the clerk had completed the work of emendation, he decided that a fair copy was necessary, for the relationship between the two drafts of the journal for 28 January is that of the fair copy to the amended and deleted original, unlike the two records of 20 January where the second account is an extended version of the first. The omission of these two deleted entries from the printed *Lords' Journals*, and the failure even to record the fact of their existence, conceals some important clues as to the techniques employed by the clerk of the parliaments in the compilation of his journal.

The two journals of 1542 are bound into the first volume of the manuscript Journals, which consists of 698 pages and covers those parliaments of Henry VIII for which a record has survived, together with some extraneous matter and twenty-one blank pages.² MS. II³ contains a list of proxies,⁴ an account of the opening of the parliamentary session (with a report of the lord chancellor's speech),⁵ the names of the receivers and triers of petitions,⁶ the presentation of the Speaker and the confirmation of the Commons' privileges,⁷ and a record of each daily sitting, including the closing session.⁸ The form for the daily sitting regularly comprises lists of peers and bishops and the record of their attendance,⁹ a heading which records the date of the sitting, a notice of adjournment and a record of business normally confined to the enactment of bills. In two respects MS. II is exceptional. The clerk included an unusually full account of the proceedings against Katherine Howard and her associates. He also entered the titles of some bills in English, in contrast to the consistent use of Latin in previous Journals.¹⁰

MS. I,¹¹ like MS. II, consists of an account of the opening of parliament, the

¹MS. II, pp. 513-16, 524.

²See Cobb, pp. 21-3.

³It runs from p. 497 of vol. I to p. 565. A list of the Acts passed in 33 Hen. VIII is entered on p. 567, separated from the record of the closing session by a blank page.

⁴MS. II, p. 497.

⁵*Ibid.*, pp. 499-500.

⁶*Ibid.*, p. 501.

⁷*Ibid.*, pp. 505-7.

⁸*Ibid.*, pp. 503-4, 508-65.

⁹In common with other Henrician Journals since 1515.

¹⁰E.g. MS. II, pp. 528, 547, 567.

¹¹MS. I begins on p. 427 and ends on p. 494. On the recto of the following leaf there is William Cowper's note on the two clerks and journals of 1542. The verso is blank.

receivers and triers of petitions, the Speaker's presentation and his petition for privileges, and a record of the daily sittings of the House. The daily form also corresponds to that of MS. II.¹ In other respects too it is similar: in its fuller account of proceedings relative to Katherine Howard's attainder and in the occasional adoption of English. Unlike MS. II it omits the proxies of Lord Monteagle and the bishop of Bath and Wells: on the other hand it records the proxies of Lord Sandes and the bishop of Norwich, incomplete in MS. II.²

MS. I occupies sixty-eight pages and MS. II sixty-nine. MS. II, however, includes two blanks and two pages of deleted entries, whereas MS. I contains two blank but no deleted pages. If the unused and deleted pages are discounted, the length of MS. I exceeds the second journal by one page. This discrepancy is due to the presence in MS. I of a journal for 2 February, of which there is no record in MS. II. The inclusion of a journal for that day is clearly an error. On Wednesday 1 February the lord chancellor adjourned the House until 9 a.m.: on Friday, a fact which is recorded in both MS. I and MS. II. The journal for Thursday is then interposed in MS. I, but its record of proceedings and attendance corresponds to the journal for Friday 3 February in MS. II. Similarly the journal for Friday in MS. I corresponds to that of Saturday in MS. II, whilst the Saturday entry in MS. I repeats that of the previous day. The clerical confusion in MS. I originated with the inclusion of a journal for Thursday, for which no business is recorded, and for which there is no corresponding record in MS. II.³

Although (if the false entry for 2 February is omitted from MS. I) the two journals correspond in length, MS. II is the fuller record of the session. For the most part, however, where items of business are recorded in both journals they are identically worded. The chief difference lies in the complete omission from MS. I of titles and readings of bills, which are recorded in MS. II. Moreover, whilst the lists of bishops and peers are always entered in MS. I, attendance is not recorded on thirty-five of the sixty daily sittings, and the adjournment formula is omitted on eleven occasions. MS. I contains virtually no information which is not recorded in MS. II, apart from minor amendments in wording or occasional additions of detail.

The two journals differ markedly in their condition. MS. II bears evidence of extensive emendation: there are many deletions and interlineations in the record of proceedings; the names of the marquess of Dorset, Lord Zouche and Lord Windsor have been inserted at a later date in the lists of peers; the 'p' registering the attendance of peers and bishops is sometimes deleted; the order of peers has undergone frequent revision; and, as already noted, the journal for two days has been deleted and rewritten. Many of the errors and

¹ Similarly, as in MS. II, the entries pertaining to the opening of parliament (pp. 429-30) and to the presentation of the Speaker (p. 436) are written right across the page.

² MS. I, p. 427; MS. II, p. 497. The proxies of Lord Monteagle and the bishop of Bath and Wells, entered only in MS. II, are also incomplete.

³ MS. II, pp. 517-19; MS. I, pp. 445-8.

corrections occur in the lists of bishops and peers which, together with the notice of adjournment, constitute the common form of the journal which was drawn up by an amanuensis before the daily sitting took place. It was either an inexperienced or inattentive assistant who did so in 1542, for on most days at least one error can be found: a name omitted (though usually restored within a few days) or the temporary misplacing of a peer in the order of precedence.¹

So far as the record of proceedings is concerned, MS. I is, in contrast, a clean journal with very few deletions and amendments. The record of proceedings corresponds to the corrected entries in MS. II and appears to be a fair copy of it. The same, however, cannot be said of the attendance lists. In the frequency with which inaccuracies occur they closely resemble the lists in MS. II. The errors in the two journals do not, however, correspond, and those in MS. I are usually left uncorrected on the days on which they occur: misspellings, misplacings in precedence, omissions, incorrect additions and duplications.²

It is clear that the two journals are not independent records, compiled separately and without reference to each other by two clerks and their amanuenses. MS. II is the original and master journal. It is a complete record in so far as attendance, business and adjournment are recorded daily, and there is no item of business in MS. I which is not in MS. II. Furthermore MS. II contains many corrections which are incorporated in MS. I.³ Thus MS. I is a fair copy of MS. II. It is, however, an incomplete fair copy. So far as the number and nature of the omissions are concerned, MS. I falls into three parts:

1. From 16 January to 7 February it appears to be a complete fair copy. It omits nothing that is in MS. II except the last few lines of the lord chancellor's speech at the opening session,⁴ the bishop of Peterborough's writ of summons⁵ and the first reading of a bill on 21 January.⁶ There are, however, two significant differences. One of these, the inclusion of a journal for 2 February in MS. I but not in MS. II, has already been considered. It is not evidence of the independent origins of MS. I, but a result of the clerk's

¹For example, the earl of Arundel has been placed among the barons and then deleted (MS. II, p. 539); and on 11 March there are two earls of Rutland (MS. II, p. 540).

²E.g. Lord Clinton is recorded twice on the same list. On 6 days 'Comes Exon' is included in the peers' list, whilst 'Comes Oxon' appears at a higher point in it (MS. I, pp. 446-51). Sometimes the errors and alterations in MS. I correspond to those in MS. II, but not always: there are four changes in the lists in MS. I on 23 and 25 Feb. (pp. 458-9), but none in MS. II (pp. 529-30).

³MS. I differs in details of abbreviation, punctuation and phrasing. The most reasonable explanation of this is that the clerk made modifications and rendered the record in his own style as he copied it.

⁴MS. I, p. 430; MS. II, p. 500.

⁵MS. I, pp. 435-6; MS. II, pp. 505-6.

⁶MS. I, p. 437; MS. II, p. 508.

practice of drawing up the common form of the journal for several days ahead. In this case the common form, including the date of each sitting, may have been compiled at the beginning of each week. The clerk later copied in the record of attendance and proceedings from MS. II, overlooking the fact that MS. II recorded no sitting for Thursday 2 February. The MS. II journal for Friday was added to the common form for Thursday in MS. I; and similarly Saturday's journal (from MS. II) was entered as Friday's proceedings in MS. I. The clerk of MS. I was then left with Saturday's common form but no further journals for that week in MS. II. Perhaps it was then that he discovered the nature of his error, and, as a first step in its correction copied the information for Saturday from MS. II into the corresponding day's journal in MS. I. But the process of correction in MS. I was not completed: Thursday's journal remains, whilst Friday's and Saturday's are identical but for their dates and adjournments.

The second difference is in the attendance record. In nine cases peers are recorded as present in MS. I but absent in MS. II. In six other cases peers are absent in the former but present in the latter. These may be errors of transcription, but five of the discrepancies occur on one day, 28 January. This would constitute a high rate of error of almost seventeen per cent which could only be explained in terms of a serious degree of clerical incompetence. It may be that the two clerks compiled their attendance registers independently and at different times during the day's session. If this is so, MS. I is something of a hybrid: an independent record of attendance, but a copy of proceedings in MS. II. But if the discrepancies are the result of clerical error, they must obviously cast some doubt on the accuracy of recording in this session, indeed in all sessions. And they emphasize the caution with which attendance registers of the Upper House must be used.¹

2. The second part of MS. I, which extends from 8 February to 25 March, is incomplete. There is no record of attendance on any day. The adjournment is omitted for eleven of the thirty-four sittings. Ten items of business, on six separate days, are not transcribed from MS. II. For several sessions the journal consists of no more than parts of the common form, the lists and the heading, which are never omitted. Those items of business which are recorded are identical with the entries in MS. II. On the other hand the lists of peers and bishops in MS. I appear to be of independent origin. In both manuscripts the lists are subject to frequent changes in the precedence of individual peers. Some changes are common to the two journals, but others are not. A possible explanation is that an amanuensis continued to compile and revise the lists for MS. I throughout the parliamentary session, not merely copying the common form of MS. II. The frequency with which changes in the lists of the two journals correspond may be the result of a

¹ In MS. II the daily attendance rate of the peerage between 16 Jan. and 7 Feb. (excluding the confused period of 2-4 Feb.) was 27.3 (or 382 attendance entries in 14 sittings). The 15 cases in which attendance entries in the two journals do not agree in this period are equivalent to a possible daily error rate of 3.9 per cent.

natural collaboration and exchange of information between the two clerks and their amanuenses.

3. The third part of the journal covers the last ten sittings, between Monday 27 March and Saturday 1 April. Suddenly the omissions cease. The attendance register is regularly made up from the afternoon sitting of 27 March and the notice of adjournment is entered from the morning session of the same day. There are a number of discrepancies in the attendance registers¹ and lists in the two journals, but these are insignificant and can possibly be attributed to clerical error: the amanuensis, drawing up the common form of MS. II, omits the marquess of Dorset from the list one day, but restores him the next;² an inattentive clerk of MS. I repeats the names of five bishops in the list of 30 March.³ Finally the account of proceedings in MS. I is identical with that in MS. II. The third part of the journal appears therefore to be a complete fair copy of MS. II.

Among the Petyt manuscripts in the Inner Temple is a collection of parliamentary journals including a seventeenth-century collated version of the two manuscript journals of 1542. Unfortunately this collation throws little light on their relationship. It notes that 'wheresoever either of the same Bookes doe vary or where one hath what the other wanteth, such variance is herein specially observed'.⁴ The work of collation is thoroughly and efficiently done: discrepancies between the two journals are duly recorded, and the confused record of the first week in February in MS. I is fully described. On the other hand the deletion of the entries for 20 and 28 January is glossed over: only the full attendance lists on the opening and closing sessions are recorded; and no comparative study of the attendance records of the two journals is included. The collation is characterized by the astute detection of discrepancies and errors rather than by reflections on the compilation and relationship of the two journals.⁵

Certain tentative conclusions about the nature of MS. I can be drawn from an examination of the two journals. The discrepancies between the lists of peers and bishops in MS. I and MS. II suggest that they were compiled separately, but an attempt seems to have been made to use one to amend the other. In MS. II 'Marchio. Dors.', below 'Comes Southampton' is deleted and re-inserted in a cramped hand above Southampton and below 'Dux. Suff.'. 'Dns. Zouche' is inserted between 'Dns. Audeley' and 'Dns. Dallawarr'. MS. I is neatly written, without deletions or insertions, yet it corresponds to the amended lists in MS. II. Whether the lists in the former represent a neat copy of the latter, or whether MS. II was amended to bring it into line with MS. I is not clear. The variations and corrections in the lists

¹ E.g. on 30 March (p.m.) MS. I (in contradiction to MS. II) records the marquess of Dorset as present, Viscount Lisle and Lord Cromwell as absent (MS. I, p. 490).

² MS. II, pp. 561-2.

³ MS. I, p. 489.

⁴ Petyt MS. 537 vol. ii fo. 24.

⁵ *Ibid.*, fos. 29, 35-6, 50, 53.

in MS. I and MS. II follow no pattern and are not indicative of any consistent practice in their compilation.

The adjournment formula in MS. I also differs frequently in detail from MS. II, and suggests that when it was entered at all it was not a mere copy but an independent entry. Furthermore, as we have seen, it is possible that the clerk of MS. I entered his own independent record of attendance instead of simply making a copy of MS. II. This, rather than mere clerical carelessness or incompetence in transcribing is perhaps a more reasonable explanation of the relatively large number of discrepancies in the two registers. On the other hand the record of proceedings in MS. I is unquestionably a fair copy of MS. II.

The fact that at least the common form of MS. I exists for the entire session suggests that it was the intention of its clerk to compile a journal, though whether independently or as a copy of the other is not clear. But these good intentions were not translated into action. For the first three weeks a more or less complete journal was maintained, with the common form drafted by an amanuensis, to which the clerk added the attendance register (possibly based on his own observation of those present) and in which he later transcribed the account of proceedings from MS. II. But illness, urgent business or some other reason resulted in the neglect of MS. I from 7 February onwards. For six weeks the record of proceedings, with some omissions, is copied from MS. II, but no record of attendance is kept and sometimes even the adjournment is omitted. Then during the last week the journal becomes a complete record again, as if the clerk has returned from some more pressing business or a sick-bed. Attendance, business, adjournment are all entered and correspond closely to the contents of MS. II. What purpose MS. I was intended to serve is not known. But by 1542 clerks of the parliaments may have come to regard the compilation of an unofficial journal as one of their customary duties—to provide a guide and reference for themselves and future clerks rather than for the peers and bishops in the Upper House. When two deputies were appointed it was natural that each should attempt to maintain a record of the session. It is possible that MS. I was intended to be a copy, perhaps for the use of William Paget, or for the information of the Speaker of the Commons or some other parliamentary officer. For reasons unknown the journal was never completed. Indeed its value lies in its incompleteness, which provides some clues as to the methods used in its compilation and to contemporary clerical standards in the work of recording and transcribing.

M. A. R. GRAVES

William Pitt, William Miles and the French Revolution

'I shall be happy to return to dear England', William Augustus Miles wrote to his friend Somers Cocks, 'when I may arrange the papers and observations I have collected. . . . They will throw great light upon the Revolution'.¹ Miles wrote incessantly, almost compulsively, throughout his life, and if all his correspondence and publications were collected, they would, in his own words, fill the bookshops of Paternoster Row. His letters appeared in the London newspapers for nearly half a century under more than a dozen pen-names, and his pamphlets established his reputation as one of the most scurrilous pamphleteers of his day. At the time of his death in 1817 he was feverishly scribbling another volume condemning George III and the cabinet for instigating the wars which had desolated Europe during the previous twenty-five years. He did not live to finish his work, but sensing the importance of his correspondence, he instructed his five 'dear boys' in his last testament to publish his manuscripts and 'read them with attention when I shall have ceased to exist'.²

It was not until 1890 that Charles Miles published a selection of his father's letters relating to the French Revolution.³ Most scholars agree with J. M. Thompson, Bernard Fay and Alfred Cobban that Miles's correspondence reflects unusual insights into the nature of revolutionary France.⁴ Yet

¹Miles to Cocks, 25 Feb. 1791 (Miles MSS., vol. 20 (Nov. 1790–March 1791), p. 120). Following the death of William Miles's last surviving son, Charles Popham Miles, the Miles manuscripts went to Charles's only child Louisa, who married the French senator and historian, Richard Waddington. The Waddington family had settled in France after the Napoleonic wars, and since 1905 the MSS. have been preserved at their country estate at Truttemer-le-Grand, Calvados. I am deeply indebted to Madame Pierre Latham, née Mary Chisholm Waddington, and Admiral Latham for granting me frequent access to the collection. It consists of bound volumes containing copies of letters sent and received by Miles: the copies were made by Miles, his wife or daughter. The volumes cover periods ranging from a week to several years and bear dates written by Miles. The volume numbers (1–50) used in this article are supplied by the author.

²Miles MSS. vol. 50, 'Preface to My Dear Sons', p. 3. The 'Preface' is an autobiographical essay, written late in life.

³*The Correspondence of W. A. Miles on the French Revolution 1789–1817*, ed. C. P. Miles (2 vols., 1890).

⁴J. M. Thompson, *English Witnesses of the French Revolution* (Oxford, 1938), p. 106. Bernard Fay, of the Collège de France, wrote 'most curious and valuable' on the New York Public Library's copy of Miles's *Authentic Correspondence with Le Brun*, which is richly annotated in Miles's handwriting. *The Debate on the French Revolution, 1789–1800*, ed. A. Cobban (1950), p. 96.

virtually nothing is known about him¹ except from the brief, eulogistic account in his son's edition of the letters and a few ephemeral glimpses in the literature of the eighteenth century. Charles Fox and the Opposition drubbed him for being Pitt's hireling, paid to discredit them in the government newspapers; the French diplomatic corps sought him out for this very reason, believing that he was one of Pitt's most confidential agents; at this same time, Pitt, Grenville and the ministry scorned him for being disaffected with their administration. His most vociferous critics labelled him a 'treasury hireling', a misguided misanthrope, the spy of Owen's shop, a seditious pamphleteer. On the other hand, his friends heralded him as another Junius, a genius and writer whose 'fame in the literary and political world stands almost unrivalled by any modern writer'.² Somewhere between the two extremes lies the real Miles.

Even more puzzling is Miles's controversial role in the historiography of the origins of the Anglo-French war of 1793. In his lifetime he was widely quoted to prove that France rather than England was solely responsible for the outbreak of that war. Herbert Marsh referred to him as an 'unbiased authority', intimately acquainted with the secret views of Lebrun and the leading men in France.³ Marsh's conclusions continue to pervade the orthodox interpretation of the responsibility for the Anglo-French war; indeed, one authority, Oscar Browning, concluded that 'although the contrary has often been maintained, there should be no doubt of it since the publication of Marsh's *History*'.⁴ It would be misleading to suggest that Marsh and Browning arrived at their conclusions solely or even primarily from the testimony of Miles. What is significant is that Miles, frequently cited as a good authority, is the same man who was referred to by Lord Rosebery as that 'wearisome busybody' who 'has left it on record that George III bullied Pitt into war'.⁵ The contention that Pitt preferred a war with France to resignation is found in the works of Henry Brougham, Richard Cobden and the whig historians of the nineteenth century.⁶ Among twentieth-century historians, Professors William Laprade and Donald Barnes present the strongest indictment against Pitt for departing from a policy of strict neutrality in the autumn of 1792 in order to finish the work of his father in destroying

¹ Miles should not be confused with his son of the same name (not mentioned in the *D.N.B.*) who became a penologist and wrote several pamphlets on crime. C. P. Miles refers to him as a 'half-brother' in the Miles MSS., but does not include his name in his biographical essay on his father.

² *Independent Whig*, 6 Dec. 1807.

³ H. Marsh, *The History of the Politics of Great Britain and France from the Time of the Conference at Pillnitz to the Declaration of War against Great Britain* (2 vols., 1800), ii. 156.

⁴ O. Browning, 'France and England in 1793', *Fortnightly Review*, xxxix (1883), 256.

⁵ A. P. Primrose, 5th earl of Rosebery, *Pitt* (1891), p. 127.

⁶ H. P. Brougham, *Historical Sketches of Statesmen who Flourished in the Time of George III* (2nd edn., Paris, 1839), p. 111. R. Cobden, '1793 and 1853 in Three Letters', in *The Political Writings of Richard Cobden* (2 vols., 2nd edn., London and New York, 1868), i. 355-496.

the French empire,¹ and again Miles appears in Laprade's book as a supporting witness. Thus, Miles lies at the source of two antithetical theses concerning the war of 1793, and there is more than a little irony in his hope that 'my reflections may be of use to posterity'.²

Until now Miles's published correspondence has not been compared with the originals in the Public Record Office and the French Foreign Office and with his copybooks in the Latham Library. Using these and other materials, this article attempts to clarify the relationship of Miles to Pitt throughout the period of the French Revolution, placing special emphasis upon the Nootka Sound affair and the origins of the Anglo-French war of 1793.

Pitt and Miles met for the first time on 16 May 1782 when the topic of parliamentary reform filled the air in the Thatched House Tavern. An advocate of parliamentary reform since his boyhood, when the elder Pitt, John Wilkes, Horne Tooke and Junius deeply influenced his political philosophy, the thirty-year-old Miles became enraptured with the younger Pitt whose 'great abilities announce much' and who is the 'avowed friend of Parliamentary reform'.³ Miles had just been released from internment by the French, whose prisoner he had been since the battle of St. Lucia in 1781, and he was seeking political employment through Lord Shelburne's influence.⁴

It was not until 1784 that the lives of Miles and Pitt crossed again, this time under most unusual circumstances. The prime minister had intercepted a letter from Miles to his closest friend, Sir Edward Newenham, an Irish patriot and member of parliament from Dublin. Writing from Liège, where he had settled with his wife and daughter, Miles sought to restrain his friend from pushing too vigorously for Irish independence. The letter demonstrated Miles's literary talents and strong support of Pitt's government in contrast to Newenham's radicalism and questionable loyalty. The intercepted letter was sent to the duke of Rutland, lord lieutenant of Ireland, with instructions 'to keep an eye upon Newenham'.⁵ Rutland's reply is most revealing:

I have directed Sir Edward's correspondence to be opened, and I find in the course of it that Mr. Miles professes much attachment to you, and wishes to be employed by you as a writer in defence of your Government. His terms appear to be very moderate, as he states that £100 a year, in addition to his present income, would

¹ W. T. Laprade, *England and the French Revolution, 1789-97* (Baltimore, 1909), p. 124. D. G. Barnes, *George III and William Pitt, 1783-1806* (Stanford, 1939), pp. 264-5.

² Miles MSS., vol. 20 (Nov. 1790-March 1791), p. 120: Miles to Cocks, 25 Feb. 1791.

³ *Ibid.*, vol. 1b (1776-82), p. 16: memorandum, 16 May 1782.

⁴ *Ibid.*, vol. 48 (1806 and later), pp. 91-7: Miles to Lafayette, 12 June 1814.

⁵ Hist. MSS. Comm., 14th Rept., App., pt. i, *Rutland MSS.*, iii. 113: Thomas Orde to duke of Rutland, 24 June 1784. Both Miles and Newenham suspected that their correspondence was intercepted at this time, but certainly not by Pitt.

render him completely contented. He is certainly a writer of abilities, and I think it is worth your while to negotiate with him.¹

The intercepted letters illuminate more than anything else the uneasy relationship between Pitt and Miles. They explain Pitt's basic and never-ending distrust of Miles, whose letters to Newenham reflect a liberalism bordering on radicalism, a temperament too heated and too impetuous to be disciplined, and a conviction too courageous to be bought. All of this contrasts markedly with the deferential tone and sycophantic embellishment in Miles's letters to the prime minister.² Pitt also learned through the Newenham letters that Miles was the author of the 'Neptune' and 'Gracchus' letters then appearing in the *Morning Post*—letters which had created a greater interest in London than anything since the publication of the Junius letters.³ Although the 'Neptune' letters were complimentary to Pitt and devastatingly brutal to the Opposition, they reflected a mind foolhardy enough to denigrate the royal family itself. Such a writer would have limited usefulness. Furthermore, if Miles and Newenham were close friends and Newenham was the 'centre of all the machinations in Ireland against England', at least in the eyes of Rutland, Miles by association must be suspect.⁴ In any event, Miles's choice of Newenham as an intermediary to seek the favour of Pitt in 1784 was definitely a mistake.

The following year Miles was more successful. This time it was through the marquess of Buckingham that he pressed his case with Pitt: he had come to know the Grenville family through an intimate and lifelong friend, the first earl of Fortescue, who had married Buckingham's sister. In a letter to Buckingham, Miles pointed out the strategic importance of the Meuse valley which linked France, the Low Countries and the German provinces. As he was still residing near Liège, where he could live more comfortably than in England on £150 a year, he was located near the heart of the French fortresses in the Quadrilateral, and he offered his services as an intelligence agent.

It is impossible, My Lord, to describe the joy I feel on having laid the foundation for a regular source of intelligence from four different Courts [Paris, The Hague, Ratisbon and Brussels] through this medium and given his Majesty's Ministers a footing in this Principality [Liège].⁵

¹ *Correspondence between William Pitt and Charles Duke of Rutland, 1781-7* [ed. 3rd earl of Stanhope] (1890), pp. 37-8: Rutland to Pitt, 15 Aug. 1784.

² E.g. Public Record Office 30/8/328: Miles to Newenham, 7 Oct. 1784.

³ *Letters of Neptune and Gracchus, addressed to the P— of W—* (1784). The foreword states: 'The letters of Neptune have had the greatest share of public admiration, since those of that inimitable Writer [Junius]'. Miles's intermediary with the *Morning Post*, Howell H. Edwards, writes: 'Permit me to congratulate the author on the great character that letter [Neptune] has obtained among the Political World . . . some attribute it to Wilkes, some to the "immortal Junius"' (Miles MSS., vol. 2 (Jan. 1783-June 1784), pp. 55-6: Edwards to Miles, 2 May 1784).

⁴ Hist. MSS. Comm., *Rutland MSS.*, iii. 137: Rutland to Pitt, 13 Sept. 1784.

⁵ P.R.O. 30/8/159: Miles to Buckingham, 25 Aug. 1785.

Buckingham, who befriended Miles at this time, endorsed the idea, and Pitt was unusually swift in accepting Miles's offer. 'I flatter myself', he wrote to Miles,

that the line of information which you have opened may be of material use, and if you can render it so you will find me sincerely happy to acknowledge your services. . . . Though it is not any large sum that can be allotted to these purposes at present, you may be assured that your rewards shall keep pace with the degree of service which you may be able to render to Government.¹

By this time Pitt had become confident of Miles's support through his 'Neptune' and 'Gracchus' letters which backed the government's programme for reforming parliament, the East India Company, the tax and penal laws, and for establishing reciprocal trade agreements with Ireland and France. In fact, one wonders whether Pitt was more interested in Miles as a pamphleteer or as an intelligence agent. Miles clearly understood the agreement to relate entirely to intelligence operations and maintained to the very end that he was never a 'treasury scribbler'. He supported Pitt only when he agreed with his policies. Yet without doubt, Miles, whatever his other motives, did write to ingratiate himself with the influential. This was true in 1773 when he dedicated his first pamphlet to David Garrick, who then assisted him in securing a midshipman's commission in the navy, and it was true in 1808 when he dedicated his last pamphlet to the prince of Wales in the hope of returning to the continent in a diplomatic post. Clearly, he never wrote against what he believed to be true. He wrote from conviction, and if he changed his attitude towards Pitt in the seventeen-nineties, this was as much the result of Pitt's volte-face on domestic issues as of his own volte-face on foreign affairs.

As an intelligence agent, Miles shifted his 'listening post' from Liège to Brussels, to Frankfurt, to Mainz. His letters to Pitt and to the secretaries of the Foreign Office are still extant in the Public Record Office.² For the most part they are filled with small talk. No single letter reveals any major assignment, and the historian seeks in vain for any indication that Miles was an important clandestine agent. Still, the letters collectively provide abundant material from which the intelligence analyst could detect social, economic and political unrest in the Low Countries during the prerevolutionary period. Perhaps Miles's most important mission was Pitt's request to secure all the data available on the annual imports and transit of British merchandise, both legal and smuggled, into the Austrian Netherlands. Pitt gave Miles this assignment in May 1786, when negotiating with France on the important commercial treaty signed in that year. By December Miles

¹ Miles MSS., vol. 4 (Feb.-Sept. 1785), unpaginated: Pitt to Miles, 11 Sept. 1785. Later that year Pitt fixed the annual salary at £250 to be paid 'as long as your services are useful to Government' (*ibid.*, vol. 6 (Dec. 1785-Dec. 1786), unpaginated: Pitt to Miles, 23 Dec. 1785).

² Miles's letters to Pitt are in the Chatham Papers, P.R.O. 30/8/159; to Leeds in P.R.O., Foreign Office 26/13-16. Other letters from Miles are in the Foreign Office and Home Office files.

had completed his work, which Pitt accepted with gratitude.¹ A few months later Miles published his report as an appendix to his anonymous pamphlet, *The Necessity and Policy of a Commercial Treaty with France*, by 'Anglicanus', in which he supported the Treaty of 1786 because it favoured England more than France.²

Politically, Miles's letters are most significant for the period immediately following the outbreak of the French Revolution. Written from the perimeter of France, the letters reveal the fomenting difficulties in the petty ecclesiastical and ducal states, especially in Liège where Miles's friendship with Jacques-Joseph Fabry, burgomaster and leader of the patriots, led him increasingly to side with the patriots and to become a participant rather than an intelligence agent. Convinced that all ecclesiastical governments should be secularized and that the Belgian provinces should be separated from Austria, he wrote to Pitt and the duke of Leeds, urging them to support the revolutionary party in its efforts to establish an independent Belgium with strong economic ties to England.

Disappointment, frustration and impatience drove Miles back to London in February 1790, where he repeatedly beseeched Pitt for a more tangible reward and a mission worthier of his talents. Tired of playing the role of a lowly intelligence agent, he wished for recognition as a public official, either as a resident or consul in Frankfort, Liège or Mainz. Above all, he wanted more money. Time and time again he complained to Pitt that he could not afford to live in Frankfort on a trifling £250 a year. But Miles's political behaviour had disturbed Leeds and the tory George Rose, Joint-Secretary to the Treasury, who judged him to be too republican to be of loyal service to government. Nor could his constant importuning Pitt for more money win the favour of the prime minister. Yet, much as Pitt distrusted the unpredictable and unbridled Miles, and though he lacked sufficient confidence in him to give him an important diplomatic assignment, he still welcomed his pamphlets and editorials, especially during the regency crisis—the nadir of Pitt's early political career.³ Miles's letter to Pitt in May 1790 reflects this uneasy relationship. After thanking Pitt for his assurance of continued financial support, Miles commented that 'I [cannot] in reason blame you, Sir, if you decline employing me in any confidential business until you are better assured of my truth and integrity'. In closing, he took the liberty of suggesting that he be pensioned for his service as 'a faithful and zealous servant of the Public for many years'.⁴ But, for the moment at least, he had

¹Miles MSS., vol. 8 (Feb.–Sept. 1786): memorandum by Miles, 3 May 1786. P.R.O. 30/8/159: Miles to Pitt, 18 Dec. 1786.

²A copy of this pamphlet is in the Goldsmiths' Library of the University of London.

³Under the pen-name 'Neptune', Miles had written *An Answer to Mr. De Lolme's Observations on the late National Embarrassment* (1789). The following year he published anonymously *Cursory Reflections on Public Men and Public Manners on the Continent*.

⁴P.R.O. 30/8/159: Miles to Pitt, 13 May 1790.

to remain satisfied with the more uncertain remuneration from the secret service funds.

When Miles reached London at the beginning of February 1790, the cabinet was in the throes of the Nootka Sound crisis. Anxious to avoid a war if possible, the cabinet would not hesitate to go to war with Spain if she failed to give full restitution.¹ Only the prospect of a general war with France and Spain caused Pitt and George III to prolong the negotiations in hopes of severing the Family Compact. This threat of a general war enabled Miles to return to the continent.

In many ways Miles was a good choice for this mission. Politically unknown, as much at home in the elector's residence at Aschaffenburg as in the salons of Paris, bilingual and Francophile, an acquaintance of Lafayette, the ambitious Miles seemed adequately endowed to serve Pitt as a lobbyist to the National Assembly. Whatever the reasons, Pitt, who was unsure of Miles's 'truth and integrity' in May, decided in July to send him to Paris to break up the Family Compact or, failing this, to isolate Spain during the controversy.² Whether or not Pitt wanted to go one step further and align England with France, as Miles so frequently contended, is doubtful. Pitt may have dangled this as bait initially to encourage Miles to accept the assignment and then have withdrawn it when it became apparent that George III was decidedly opposed to any form of alignment with revolutionary France. On the other hand, since Miles received all his instructions at this time directly from Rose and not Pitt, it is more likely that either Miles may have misunderstood Rose, or Rose may have misrepresented Pitt.

In any case, Charles Miles has grossly magnified the relationship between his father and Pitt throughout the Nootka Sound affair. Since there is not 'the slightest trace of the official communications sent directly to the Minister' between August 1790 and April 1791, he infers that the correspondence has been removed from the Public Record Office.³ Unfortunately, he suffered a nervous breakdown under the pressure of editing and was unable to examine the original correspondence in the Public Record Office. It is even more regrettable that scholars using the published correspondence have unwittingly perpetuated his interpretation of his father's mission. John Holland Rose and Oscar Browning, for example, concluded that since the correspondence between Pitt and Miles had 'eluded the most careful search', it must have been destroyed.⁴ Along with E. D. Adams, P. W. Wilson and others, they surmise that Miles was well supplied with money

¹ J. M. Norris, 'The policy of the British cabinet in the Nootka crisis', *Eng. Hist. Rev.*, lxx (1955), 576. The first news of the seizure of the British ships reached the government on 21 Jan. 1790.

² Miles MSS., vol. 19 (Jan.-Nov. 1790), p. 119: Miles to Buckingham, 15 July 1790, summarizing his conference with Rose on 14 July. At this time his annual allowance was increased to £400.

³ *Correspondence of W. A. Miles*, i. 42.

⁴ O. Browning, 'The Foreign Policy of Pitt to the Outbreak of War with France', *The Cambridge Modern History* (13 vols., Cambridge, 1902-11), viii. 291; J. H. Rose, *William Pitt and National Revival* (1912), p. 578.

to buy off Mirabeau and consummate an Anglo-French entente. Adams's interpretation is typical: 'Pitt, using Italian diplomacy not customary with him, sent Hugh Elliot and Miles to propose secretly to Mirabeau an alliance with England. . . . All documents relating to it, whether in the letters of Elliot, Miles, or Pitt, were suppressed'.¹ These conjectures have, unfortunately, been too easily accepted by French historians who have long believed that Pitt's gold was responsible for the early counter-revolutionary movements in France.

The fact is that nothing was suppressed, either for Miles or Elliot. The correspondence gap from August to December 1790, and not to April 1791, as Charles Miles writes, is explained in Miles's letter of 10 December to Pitt: 'Forbidden all communication with the King's Minister, I could neither claim his protection nor those attentions to which every Gentleman in a foreign Country is entitled from the representative of his Sovereign [Ambassador Gower]'.² Miles had been forbidden to communicate not only with Lord Gower and the English embassy in Paris, a fact generally known to historians, but also with Pitt himself, a fact not previously known. This explains the absence of any letters in the Public Record Office during this interval. Miles's desperate financial plight finally drove him to break Pitt's instructions. There is no reason to believe that he had been supplied with secret service money for buying votes or influencing legislation at this time: Pitt did not have that much confidence in him. Indeed, there is ironic humour in the fact that Miles, who has been charged with bringing Pitt's gold to Paris to buy Mirabeau, broke the silence with Pitt because, in his own words: 'It is impossible to support myself and family in this metropolis on four hundred pounds per annum and I appeal to your knowledge of Paris for the truth of this assertion'.³

Nor is there any evidence that Hugh Elliot used secret service money to buy off members of the *Comité Diplomatique*. The surviving correspondence relates a complete story: Elliot went to Paris 'principally from curiosity', opened a 'confidential intercourse' with the *Comité* through his boyhood friend Mirabeau, followed Pitt's instructions not to meddle with the internal affairs of France nor 'to form any Alliance between the two countries', and lobbied to dissuade France from supporting Spain.⁴ There is no reason to believe that any of Pitt's letters were suppressed: indeed, his undated letter

¹E. D. Adams, *The Influence of Grenville on Pitt's Foreign Policy, 1787-98* (Washington, D.C., 1904), p. 8; P. W. Wilson, *William Pitt, the Younger* (New York, 1930), p. 207.

²P.R.O. 30/8/159: Miles to Pitt, 10 Dec. 1790. Miles always addressed Pitt in the third person. There is no copy of this important letter in the Miles MSS., which explains C. P. Miles's conclusion.

³*Ibid.*

⁴Royal Archives, George III, Cal. 6728, fo. 25: Pitt to George III, 25 Oct. 1790. I should like to acknowledge the gracious permission of Her Majesty the Queen to make use of material from the Royal Archives.

The king's reply is in Hist. MSS. Comm., *12th Rept.*, App., pt. ix, p. 358: George III to Pitt, 26 Oct. 1790.

of late October may have been his only one to Elliot.¹ There was no longer any need to follow it up: the crisis was over.

Elliot and Miles saw each other frequently in Paris and viewed the revolution in much the same light, although Miles encountered more Anglophobia in the aristocratic circles around Lafayette, who believed that English armaments were directed against France and not Spain. Miles reported that 'the great object of my mission is in general much liked. The business is realized. Mr. Pitt may, if he follows it up, accomplish it and lay the foundation for a union between the two kingdoms'.² Elliot, too, hoped 'to open the eyes of the British Government to the solidity of the French Revolution'.³ Though Pitt appreciated the work of the two emissaries, he was displeased with their over-enthusiastic support of the 'glorious revolution' and admonished them for their public utterances.⁴

Miles returned to England in April 1791, and in the event he was not to revisit the continent for twenty-four years. He left his family in Paris in order to receive diplomatic directions from Pitt, who had not given him instructions for several months. Pitt deferred seeing him until 26 June after parliament had recessed. This was Miles's most important conference with Pitt, and it was here that the prime minister terminated Miles's services abroad and offered him the position of a pensioned writer at home. 'It is Pitt's hope', Miles wrote to Buckingham, 'that I will uphold the Government by my literary exertions. It is this I most dread and hold in abhorrence'.⁵ Miles conveyed the same sentiments to Pitt, urging him to reconsider a diplomatic post and expressing his fear that a literary position would brand him as a 'treasury hireling'. 'I do not think it is very likely that we shall differ in politics', he wrote to Pitt the day following their conference, 'but if such an event should happen, I trust you will not call upon me to support what I cannot approve'.⁶ Miles understood the term, 'literary support' to mean an occasional pamphlet, but he later learned through Rose that he was expected to submit articles regularly to the government newspapers.⁷ This was unquestionably a great blow to Miles who took some pride in his political independence and who strongly detested political hacks and scribblers. However, it is to his credit that he remained unbridled as a writer, often submitting articles which embarrassed the ministry, and that he refused any form of government censorship. On more than one occasion an editor of a government newspaper threatened to send

¹ P.R.O. 30/8/102: Pitt to Elliot, [?] Oct. 1790.

² Miles MSS., vol. 19 (Jan.-Nov. 1790), p. 172: Miles to Rose, 11 Oct. 1790.

³ P.R.O. 30/8/132 (2): Elliot to Pitt, 26 Oct. 1790. This communication must have crossed Pitt's undated letter of instruction (n. 1 above). Elliot's reply to Pitt, 6 Nov. 1790, is in P.R.O. 30/8/132 (2).

⁴ P.R.O. 30/8/132 (2): Elliot to Pitt, undated but probably the end of Nov. 1790.

⁵ Miles MSS., vol. 21 (Apr.-Sept. 1791), pp. 110-11: Miles to Buckingham, 2 July 1791.

⁶ *Ibid.*, pp. 103-7: Miles to Pitt, 27 June 1791.

⁷ *Ibid.*, vol. 34 (15 Oct.-14 Nov. 1794), pp. 28-31: Miles to Aust, 5 Nov. 1794.

Miles's 'subversive' letters to Pitt himself. An exchange of letters with the editor of the *True Briton* reveals Miles's sensitivity on this subject:

I am vexed whenever I see either in the *True Briton* or the *Sun* any paragraphs that may be refuted. . . . I am also inclined to think that the reflections I sent you last Sunday were mutilated by Mr. [James Bland] Burges, the under Secretary of State; and if I send you any communications for your papers it must be on the express condition that nothing of mine is garbled by that worthless Coxcomb or indeed by any one else. I will not permit [him] to correct a single line of what I send, and it shall be my case to send you nothing but what will be a credit to your paper and of service to the Minister.¹

Though badly humiliated by his new status, Miles accepted Pitt's offer of £500 per annum, and for the next few years he supported Pitt's ministry whenever he could endorse its measures. His editorials appeared under several pseudonyms in the ministerial newspapers, first in *The Times* and later in the newly founded dailies, the *True Briton* and the *Sun*. While one cannot always be certain of Miles's authorship of anonymous articles, cross-references in his correspondence combined with an easily identifiable style enable one to be reasonably sure of many of his letters. Certainly the articles by 'Legion' in the *World*, 'Tacitus' in the *Sun*, and 'Gracchus' in the *Diary* are his. Charles Long, who replaced Rose as Miles's contact with the Treasury, writes, 'I know you have contributed much [to the *Sun*], and I have traced you through several different signatures'.² In fact, Long constantly pressed Miles to write more and more for the *Sun* and even suggested topics for discussion.

Miles also defended Pitt in his anonymous pamphlets. His first major production in his new role was prompted by Catherine the Great's desire to push the boundaries of Russia southward along the littoral of the Black Sea. Defending Pitt's unpopular position in parliament, Miles published *An Enquiry into the Justice and Expediency of Prescribing Bounds to the Russian Empire* (1791), which raised the important question 'whether it was in the best interests of England to allow the Court of St. Petersburg to establish a new sovereignty on the destruction of the Ottoman Empire'.³ The Ochakov incident, as it was then called, represents the first major confrontation between England and Russia and demonstrates that Pitt was as ready to protect British 'national interests' from Russian encroachments in 1791 as he had been from France in 1787. Miles's analysis of the problem in 1791 is full of insight: it won the admiration of the editor of *The Times* sixty-four years later during the Crimean crisis.⁴

¹ *Ibid.*, vol. 27 (7-20 Jan. 1793), pp. 4-6: Miles to Heriot, 8 Jan. 1793.

² *Ibid.*, vol. 25 (Nov.-Dec. 1792), pp. 3-4: Long to Miles, 1 Dec. 1792. As late as 15 May 1797 the *Sun* referred to Miles as the 'celebrated political writer'.

³ W. A. Miles (anonymous), *An Enquiry into the Justice and Expediency of Prescribing Bounds to the Russian Empire* (1791), pp. 20, 40. The Goldsmiths' Library of the University of London has a copy of this pamphlet.

⁴ *The Times*, 16 Nov. 1855.

But more significant is Miles's relationship to Pitt during the critical months preceding the outbreak of the Anglo-French war of 1793. Just as the British government looked forward in the beginning of 1792 to fifteen years of uninterrupted peace and unprecedented prosperity, the French Executive Council expressed its hope for peace with England. Engaged in a war with Austria since April, France was conscious of her need of English neutrality, if not support. This was especially true after the invasion of the Tuileries on 10 August, when all the major courts of Europe withdrew their ministers from Paris. It would have been a crowning achievement of the Brissotin government if it could have secured England's recognition of the French Republic, or, failing this, received assurances that England would not support France's enemies. In a significant sense, France and England reversed the roles they had played during the Nootka Sound crisis. With Brissot as Pitt and Lebrun as Leeds, the Executive Council dispatched the counterparts of Miles and Elliot to London to win the assistance of England or, as a secondary objective, to keep her isolated from the continental coalition. The most important counterparts of Miles and Elliot included Hugues-Bernard Maret, the Chief of the First Bureau of the French Foreign Office, Jean-François Noël, Chief of the Second Bureau, and Jean-Scipion Mourgue, protégé of Maret and friend of Miles.¹

It was natural that this group of emissaries should seek out Miles because of his known sympathies to France, his enthusiasm for a French alliance, his friendship with Lebrun and his relationship with the marquess of Buckingham, whom they equated with Grenville. Above all they considered Miles to be as much the confidential agent of Pitt in 1792 as he had been during the Nootka Sound controversy. Obviously, they overrated Miles's influence, but they never questioned his sincerity and entrusted him with the most confidential correspondence of the French Foreign Office.

Miles's manuscripts shed light on three important issues during the critical winter of 1792-3: the Maret-Pitt conferences of 2 and 14 December; the French Executive Council's ultimatum of 7 January; and the controversial, last-minute Maret-Dumouriez mission.

The two Maret-Pitt confrontations in December are the only occasions when Pitt talked candidly with anyone intimate with the Executive Council. Pitt and Grenville had refused to see Chauvelin in any official capacity because recognizing him as ambassador was tantamount to recognizing the French Republic, and this George III adamantly refused to do. Contacts with French emissaries were minimal and it is doubtful whether Pitt would have seen Maret at this time if it had not been for the news of the propaganda decree of 19 November and the Scheldt decree of 20 November. These events caused Pitt's ministry to abandon neutrality and embark on a new strategy to deter the French from any attempt against Holland. A special cabinet meeting was called on 28 November to formulate an 'imme-

¹ F. Masson, *Le Département des Affaires Étrangères pendant la Révolution, 1787-1804* (Paris, 1877), pp. 237-84.

diate and decisive resolution' against France.¹ 'Nothing but our being ready for war can preserve peace', Pitt wrote to Dundas on 4 December.² 'The Cabinet was so fully convinced that war was imminent', according to Pitt's confidant, Burges, Under-Secretary for Foreign Affairs, that Pitt asked him 'to write a pamphlet to prepare the public mind for what was about to follow, and he [Pitt] himself touched it up'.³ The general alarm was sounded in *The Times*: 'A war with France we conceive to be INEVITABLE'.⁴ By 18 December 1792 Burges could write to Auckland that 'there appears to be one sentiment throughout the country ... an earnest desire to go to war with France'.⁵

England, however, needed time to rearm and negotiate with the continental coalition. To delay France from taking any precipitate action, Long was selected to go to Paris, but Pitt delayed his trip when he learned through Miles that a secret French agent would soon be available for discussions in London. This arrangement was preferred. Putting it bluntly but awkwardly, George III wrote to Grenville that this procedure keeps the staff in our hand . . . I mean Mr. Pitt's prudence will make him with temper hear the proposal, and not open himself so as to give them [the Executive Council] an handle to say we would have gone farther lengths than on the negotiation failing (which it probably must) would be desirable.⁶

These circumstances made it possible for the first Pitt-Maret conference to materialize through the efforts of Miles and Long, although it was Noël and not Maret who was the only authorized 'secret agent' in London to speak for the Executive Council. An unexpected delay in Noël's return from a conference with Dumouriez gave Maret this opportunity to meet Pitt.

The details of the Maret-Pitt conference of 2 December have been reported differently by Pitt and Maret, but they are not important. What is important is the reaction of the English and French governments to the meeting. As already noted, Pitt cancelled Long's pending mission to Paris and encouraged future conversations with Maret because England needed time to prepare for what seemed to be an inevitable war unless France agreed to a general pacification of Europe. Lebrun, on the other hand, was embarrassed by Maret's unofficial conversations which, in the eyes of the

¹ British Museum, Liverpool Papers, Add. MS. 38192 fo. 136: Grenville to Hawkesbury, 27 Nov. 1792; *ibid.* fo. 91: Pitt to Hawkesbury, 28 Nov. 1792.

² P. H. Stanhope, *Life of the Right Honourable William Pitt* (4 vols., 1861-2), ii. 176-7: Pitt to Dundas, 4 Dec. 1792; Hist. MSS. Comm., *14th Rept.*, App., pt. v, *Fortescue (Grenville) MSS.*, ii. 351-2: Grenville to Auckland, 4 Dec. 1792.

³ *Selections from the Letters and Correspondence of Sir J. B. Burges*, ed. J. Hutton (1885), p. 204.

⁴ *The Times*, 6 Dec. 1792.

⁵ Brit. Mus., Add. MS. 34446 fo. 161: Burges to Auckland, 18 Dec. 1792.

⁶ Royal Archives, 7073: Grenville to George III, 2 Dec. 1792; Hist. MSS. Comm., *Fortescue (Grenville) MSS.*, ii. 351: George III to Grenville, 3 Dec. 1792: 'The intercepted letters that accompany this convince me that the French are hardy enough to attempt opening the Scheldt, which we can never allow'.

Executive Council, undermined the position of France's only authorized representative, Chauvelin. Succumbing to the pressure of the Executive Council, Lebrun instructed Maret to inform Pitt that hereafter Chauvelin alone would be the vehicle of communication between the two governments.¹ This was the sole purpose of the second Maret-Pitt conference arranged by Miles on 14 December. In an attempt to clear himself with the Convention, Lebrun reported that it was Pitt and not Maret who had requested the meeting of 2 December. This bold-faced lie, which both Mourgue and Maret later admitted to Miles, enabled Lebrun to escape the charge that he was not vigorously seeking the recognition of the French Republic. The Executive Council was convinced that Pitt was negotiating from weakness and that he dared not take any action against France because this would lead to an insurrection. The fact that he had to call out the militia on 1 December gave credence to their conviction. Lebrun himself wrote to Maret that Pitt sought a 'rapprochement dont il sent la nécessité pour le succès de son système et peut-être pour son existence ministérielle'.²

The Executive Council's insistence on communicating exclusively through Chauvelin was a blow to Maret, Noël, Mourgue, and, of course, Miles. Writing from Paris, Mourgue explained to Miles how the supporters of Chauvelin had gained the upper hand with Lebrun and how he himself had contributed to Lebrun's misconception of the radical element in England: 'J'ai si peu cru que vous n'oseriez pas rassembler vos Milices, que vous craigniez des insurrections assez violentes pour vous alarmer, et vous faire solliciter la paix'.³ Thereafter, Maret and Noël radically changed their interpretation of the internal situation in England and informed Lebrun repeatedly that England was no longer on the verge of revolution. On the contrary, they warned him that if Dumouriez were to attack the Dutch Republic, the whole of England would rise and support Pitt. They urged him to assure Pitt that the propaganda decree of 19 November did not apply to England, to soften France's position on the Scheldt decree, to renounce any idea of aggrandizement, to replace Chauvelin, and to enter into an alliance with England. In spite of their patriotic support of the revolution, they deplored its excesses and shared Miles's faith that peace could still be secured. In their communications to Lebrun they spoke favourably of Miles who 'a mis dans toutes ces ouvertures autant de bonne foi et de philanthropie que de zèle et de bonne volonté'.⁴ Miles in turn shared all their communications with Pitt and pleaded with Lebrun to follow the dictates of Maret and Noël concerning England. Above all, he implored Lebrun to

¹ Archives du Ministère des Affaires Étrangères, Paris, Correspondance Politique Angleterre 584, fos. 96-7: Lebrun to Maret, 9 déc. 1792; *ibid.*, fos. 92-5: Lebrun to Chauvelin, 9 déc. 1792.

² *Ibid.*, fos. 96-7, Lebrun to Maret, 9 déc. 1792.

³ Miles MSS., vol. 25 (Nov.-Dec. 1792), pp. 172-9: Mourgue to Miles, 31 déc. 1792, published by Miles in *The Conduct of France towards Great Britain Examined* (1793), p. 140.

⁴ A.A.E., C.P. Angleterre 584, fos. 164-5: Noël to Lebrun, 14 déc. 1792.

correct his inaccurate account of the origins of the Maret-Pitt conference, which had placed Miles in Pitt's bad graces, and to refrain from insisting that the recognition of the French Republic must precede negotiations.¹ In every sense, however, the Maret-Pitt conferences failed to open the communication impasse which Miles and the French emissaries attributed to the insolent Chauvelin and the condescending Grenville.

The second critical issue of this period, the Executive Council's directive of 7 January, reveals the weakness of negotiations in the eighteenth century because events occurred faster than communications could convey diplomatic instructions. The correspondence of 15 December serves as a case in point. On that day Grenville introduced the Aliens Bill in the Lords and the Executive Council issued the second propaganda decree. Both events profoundly affected the governments in the opposing capitals. On the same day Lebrun instructed Chauvelin in a directive, carrying the weight of an ultimatum, to secure an explanation of England's intentions concerning rearmaments.² Across the Channel, Maret, Noël and Miles urged Lebrun to recall Chauvelin, to soft-pedal the Scheldt affair, and, in general, to relax tensions in order to prevent a general conflagration. In contrast, Chauvelin reported that 'la Guerre est plus probable que jamais'.³ Back in Paris, Mourgue wrote to Miles that 'Chauvelin nous a cruellement trompés' and that 'le destin de l'Europe tient à un fil d'araignée'.⁴ Four days later when England learned of the propaganda decree of 15 December and France heard of the Aliens Bill, all previous diplomatic instructions became irrelevant and the opposing governments drew up stronger protests.

It is against this flurry of events and correspondence that one must evaluate the diplomatic transactions of late December and early January. Convinced that France wanted nothing less than the permanent absorption of the Low Countries and that the only means of stopping her was a policy of deterrence, to use the modern idiom, England mobilized her forces rapidly throughout December and solicited the support of Russia, Austria, Prussia and Spain in offering France the alternative of peace or war. The price of peace was stopping all further aggression, giving up her aggrandizements, renouncing publicly the propaganda decrees and withdrawing her military forces within her boundaries. These conditions were carefully spelled out in a secret dispatch to Whitworth, ambassador at St. Petersburg, for communication to the Russian government, and copies of it were sent to Berlin and Vienna.⁵ Significantly, a cipher clerk

¹ *Ibid.*, fos. 147-8: Miles to Lebrun, 14 déc. 1792; *ibid.*, fos. 190-3: Miles to Lebrun, 23 déc. 1792.

² *Ibid.*, fos. 177-8: Lebrun to Chauvelin, 15 déc. 1792. Still stronger in tone is Lebrun's address to the Convention on 19 Dec. which was loudly received and distributed as a memoir throughout France and to Chauvelin: 'Mémoire, Commune de Paris, du 19 décembre', *Moniteur Universel*, no. 356, 21 déc. 1792.

³ A.A.E., C.P. Angleterre 584, fos. 149-61: Chauvelin to Lebrun, 14 déc. 1792.

⁴ Miles MSS., vol. 25 (Nov.-Dec. 1792), pp. 91-5: Mourgue to Miles, 15 déc. 1792, published in Miles's *Conduct of France Examined*, pp. 143-4.

⁵ P.R.O., F.O. 65/23: Grenville to Whitworth, 29 Dec. 1792.

in the British Foreign Office sold this same information to the French government.¹

France, on the other hand, was still uncertain of England's position, although it seemed to the majority of the Executive Council that Pitt was preparing for war under the guise of neutrality. Lebrun spoke of the possibility of a war because of England's hostile preparations, her embargo on French commerce, and the Aliens Bill. In this same address to the Convention on 31 December, he reported that Chauvelin had been instructed to present to the British ministry a note requesting 'une réponse claire, prompte et catégorique' to the question whether the Aliens Bill would apply to France. If the answer were 'affirmative' or if no answer were received in three days, Chauvelin was further charged to declare the Commercial Treaty of 1786 annulled.² On 7 January Lebrun summed up the Executive Council's grievances in an equivocal ultimatum to Chauvelin.³ Convinced as he was of Chauvelin's ineffectiveness as an ambassador, he also sent a copy of the ultimatum to Miles, together with a personal letter containing information which he did not wish to share with Chauvelin.⁴ This highly irregular procedure demonstrates how important it was for Lebrun to make contact with Pitt.

The letters, along with Maret's *exposé* to Miles, reached London on 12 January. Chauvelin, obviously displeased with Lebrun's strategy, asked Miles not to see Pitt before he himself had seen Grenville. Miles agreed, and Chauvelin conferred with the Foreign Minister in a brief but fruitless meeting on the morning of 13 January. Later that day Miles delivered his letters from Lebrun and Maret to Pitt who had called a cabinet conference. Miles has described the results in a minute written much later:

Pitt received Maret's letter with great good humour from me, with all the marginal notes exactly as I had scribbled them, went into the Cabinet with it, and in half an hour came out furious, freighted with the whole of its bile, with the addition of Mr. Burke, who attended tho' not of the Cabinet; and returning me the paper, prohibited me from corresponding with the French Executive Council on the subject of Peace or War. I went away chagrined.⁵

¹A.A.E., C.P. Angleterre Supplément 29, fos. 340-1: Martin to Compatriote, 31 déc. 1792.

²*Ibid.*, 584, fos. 382-7: Lebrun's 'Rapport à la Convention nationale', 31 déc. 1792.

³*Ibid.*, 586, fos. 77-9: Lebrun to Chauvelin, 8 jan. 1793. Two days later Lebrun again urged Chauvelin to press the English government for a reply: 'Il est donc très important, Citoyen, que vous nous annonciez promptement l'ultimatum du Ministère Britannique' (*ibid.*, fo. 93: Lebrun to Chauvelin, 10 jan. 1793).

⁴Lebrun's letter to Miles seems to have disappeared. Miles claims that he did not get it back from Pitt. There is no record of it in the P.R.O., the A.A.E., or in the Miles MSS. Maret's letter to Miles of 7 Jan. has been accurately translated by C. P. Miles in his *Correspondence of W. A. Miles* from the original in the A.A.E., C.P. Angleterre 586, fos. 42-50. Maret's letter is also copied in the Miles MSS., vol. 26 (1-7 Jan. 1793), pp. 68-76, but unfortunately Lebrun's is not.

⁵Miles MSS., vol. 27 (7-20 Jan. 1793), p. 45: memorandum, 1 March 1804. Cf. *Correspondence of W. A. Miles*, ii. 42-3.

Assuming that Miles's account is essentially correct—and it is to his credit that he reported events honestly, in spite of his incredulity and idealism—how can the change in Pitt's disposition be explained? One might suggest that the impressionable Miles saw in Maret's equivocal letter everything that he wanted to see: France desires peace; the Dutch and Belgians are free to negotiate the Scheldt affair; the propaganda decrees will be modified; Chauvelin can be replaced; France will not attack Holland; in a word, England and France in alliance can become the peaceful arbitrators of the world. Having been depressed with the prospect of war because of France's more bellicose ultimatum of 20 December, Miles was now carried away with the possibility of peace. In his exchange of notes with Pitt, he induced Pitt to believe that the French had made significant concessions and that Pitt now had it in his 'power to preserve the blessing of peace'.¹ When the more pragmatic Pitt perused the letter, he read into it what he feared most: England continues to insult and menace France; great victories have made France master of Belgium; France does not fear war; her armies are ready; France shall strike the first blow against England in Holland. Maret's letter is essentially an ambivalent ultimatum, holding out the olive branch, yet threatening war if England does not explain her rearmaments satisfactorily. Without question, France preferred peace to war, but not at the expense of giving up her conquests and annexations, and this, to England, had now become the first prerequisite for peace. In this respect war was inevitable. Sensing this, Miles dispatched his final appeal to Lebrun to give up his 'ill-fated vanity' and seek peace: 'c'est la guerre que je vois prête à s'éclater et engloutir les deux nations. Le Brun! vous allez vous charger d'une terrible responsabilité! Songez-y bien; il est encore temps'.²

The execution of Louis XVI produced the final series of French actions and English reactions. The controversial Maret-Dumouriez mission must be interpreted in the light of the execution. Except for a few whig historians, this mission has been denied or slighted in most of English historiography, but the Miles manuscripts support the findings of John T. Murley in his unpublished doctoral dissertation, 'The Origin and Outbreak of the Anglo-French War of 1793', the most thorough study of this subject known to this writer.³ There can be little doubt regarding the existence and general purpose of the intended negotiations; one may only question their precise nature and chances of success. The conflict in French historiography is not over the mission itself, which it accepts, but over its endorsement by the Executive Council.⁴ This writer agrees with Dr. Murley that there is too

¹ Miles MSS., vol. 27 (7–20 Jan. 1793), p. 34: Miles to Pitt, 12 Jan. 1793.

² *Ibid.*, pp. 72–3: Miles to Lebrun, 18 Jan. 1793, published in W. A. Miles, *Authentic Correspondence with M. Le Brun and others* (1796), app., p. 113. The original letter is missing from the Archives du Ministère des Affaires Étrangères.

³ J. T. Murley, 'The Origin and Outbreak of the Anglo-French War of 1793', unpublished Oxford D.Phil. thesis, 1959.

⁴ Both points of view rest on the conflicting testimony of Dumouriez. In his correspondence he states that he was to be sent to England by the Council (*Correspondance du Général Miranda avec le Général Dumourier* (Paris, ? 1794), pp. 22–6:

much evidence in too many independent sources to believe that the mission was not supported by the Executive Council.¹ Certainly the French Foreign Office was in favour of it and both Brissot and Roland, who feared that the execution of Louis would bring the whole of Europe down upon the French Republic, opposed an expansion of the war. While it is understandable that Monge and Pache opposed Dumouriez' mission, there is reason to believe that the timid Clavière endorsed it in mid January although his support vacillated. One member of the Convention wrote to Miles that 'Clavière is of your opinion, and dreads a contest from which, he says, ruin to both nations must ensue'.² Even if the Executive Council did not fully endorse the plan, which is still debatable, there is no question that the mission was generally known throughout the top administrative circles.

The beginning of the Maret-Dumouriez mission goes back to the middle of January 1793 when the Brissotins and Rolandists finally realized that the execution of Louis would plunge an unprepared France into a full-scale war. The importance of maintaining English neutrality is reflected in Mourgue's letter of 13 January to Miles:

Chauvelin, who is despised among you, will soon be replaced by Maret, who enjoys the confidence of the Executive Council and the esteem of Pitt. We must resume the communications which, thanks to your care, we had previously established; for an invaluable benefit may result from conversation with your Minister, and so the way might be prepared for formal negotiations between our two nations.³

On the day following the execution, Lebrun ordered Chauvelin to leave England without delay and to inform the British government that Maret was leaving immediately as chargé d'affaires.⁴ Maret was provided with two letters of introduction: one, as chargé d'affaires, to express 'le désir sincère de la République et de son Gouvernement pour le maintien de la plus parfaite harmonie entre les deux nations',⁵ and the other, a cover assignment to dispose of the embassy's records in London in the event that the mission failed.⁶

The mission seemed doomed from the very outset. Chauvelin was dismissed from England before he received Lebrun's letter instructing him

Dumouriez to Miranda, 23 Jan. 1793). In his memoirs it appears that a majority of the Council disapproved of the mission (*La Vie et les Mémoires du Général Dumouriez*, ed. St. A. Berville and J. F. Barrière (4 vols., Paris, 1822-3), iii. 384-5).

¹E.g. J. Chaumié, *Les relations diplomatiques entre l'Espagne et la France de Varennes à la mort de Louis XVI* (Bordeaux, 1957), p. 180, n. 15: Ocariz to Goday, 28 Jan. 1793: 'Maret, qui a déjà eu à Londres des missions secrètes, est parti pour prendre langue avec Pitt qui se refuse à traiter avec Chauvelin'.

²Miles MSS., vol. 25 (Nov.-Dec. 1792), pp. 39-42: a member of the Convention to Miles, 7 Dec. 1792.

³*Ibid.*, vol. 27 (7-20 Jan. 1793), pp. 46-53: Mourgue to Miles, 13 Jan. 1793.

⁴A.A.E., C.P. Angleterre 586, fos. 208-10: Lebrun to Chauvelin, 22 Jan. 1792.

⁵*Ibid.*, Supplément 21, fo. 104: Lebrun to Grenville, 25 Jan. 1792.

⁶P.R.O., F.O. 27/41: Lebrun to Grenville, 25 Jan. 1793. This is the only letter of introduction which Maret used. The other remained in his pocket, although a copy of it is in the Miles MSS.

to inform Grenville of Maret's assignment as chargé d'affaires. Chauvelin, unaware of Maret's mission, and Maret, unaware of Chauvelin's expulsion, passed each other unknowingly east of Calais. When Maret reached Dover, he learned of Chauvelin's dismissal and of rumours that 'la guerre sera proposée ce soir au parlement'.¹ For this reason he wrote to Lebrun for new instructions, fearing that he had arrived too late. As soon as he reached London on 30 January he immediately contacted Miles who, in the meantime, had sent word to Pitt of Maret's desire to negotiate. Pitt, however, replied curtly through Long that Miles should not answer Maret; in fact, he should refrain from making himself the channel of any communication on French affairs.² Maret, understandably, did not know what to do. Realizing how evenly the Executive Council was divided on the wisdom of his mission and believing that Chauvelin's expulsion would probably tip the scales, he immediately wrote to Lebrun, assuring him that Pitt and Grenville still desired peace and that Chauvelin's behaviour had justified his expulsion. Above all, he pleaded with Lebrun not to be tricked into declaring war because of Chauvelin's dismissal. This, he emphasized, was precisely the hope and strategy of Hawkesbury and the King's Friends. He advised Lebrun that the British ministry was still disposed to receiving Dumouriez, an unwarranted conclusion influenced perhaps by Miles's *naïveté*, and sent a copy of his letter to the general.³

That Maret's mission was to prepare the way for Dumouriez' entry to England is indisputable, but whether or not France was prepared to make any significant concessions may never be known. A detailed minute written by Miles and a letter from him to Pitt show what Maret believed the Executive Council was willing to concede at this time. In a manner unusually dispassionate, Miles related to Pitt the story of Maret's mission:

He opened himself to me without reserve, reprobated the atrocious murder of the King, and lamented the event as a calamity. . . . He informed me that M. Chauvelin had shamefully deceived the Executive Council and that nothing but misrepresentations and falsehoods had marked his dispatches since he lost all hopes of remaining in this Country. That if the British Cabinet was disposed to Peace in preference to War, that peace might be obtained in a manner satisfactory to your wishes, for that France would give up Nice, Mayence, Worms, & all its conquests on the Rhine. That it would renounce Liège, the Low Countries (provided Great Britain would guaranty their independence), the Scheldt, & contrive the means of detaching Savoy from France. That should you listen to this offer, he had instructions to propose M. Dumourier to finally negotiate and arrange with you, & that on being assured of the protection of the laws, he would come over, and when you had settled matters he would be invested with authority

¹ A.A.E., C.P. Angleterre 586, fo. 298: Maret to Lebrun, 29 jan. 1793.

² Miles MSS., vol. 28 (23 Jan.-29 Feb. [sic] 1793), p. 16: Long to Miles, 28 Jan. 1793.

³ A.A.E., C.P. Angleterre 586, fos. 343-8: Maret to Lebrun, 31 jan. 1793.

to sign and exchange and that the National Convention would ratify whatever he agreed to.¹

There is no reason to doubt that Miles accurately transmitted Maret's account, for he reported to others the same details—many of which have been corroborated—but there is every reason to doubt that the National Convention would have conceded France's territorial gains. Mourgue himself, who knew the sentiments of the Executive Council, had written to Miles a fortnight earlier that 'you must not deem it possible that we will consent to abandon Belgium, or any of our conquests, to their former tyrants'.² By the end of January the proponents of peace in Paris had become eclipsed politically by the more united and chauvinistic Jacobins who now exercised more leadership in the Convention than the splintered 'Girondins' who laboured nervously under the watchful eyes of the Parisian mob.

But Maret arrived too late. On 4 February, still several days before the French declaration of war reached London, he received orders to leave England within three days. Miles appealed in vain to Pitt to write to Maret at Calais and authorize his return. At this time Miles considered Maret to be a man of great sincerity and conviction, but he remained somewhat uncertain of the integrity of the Executive Council. Writing on the eve of the war, he expressed his scepticism and melancholy: 'All is trick, I am afraid, on both sides, and war is no less the wish of party in England than of party in France. I am sick at heart'.³

It may never be known whether or not the Executive Council would have declared war upon England if Chauvelin had not been so summarily dismissed or if the king's council had not declared a national state of mourning, thus publicly criticizing the Republic's decision to execute Louis. Certainly these events were the final straws to the French Executive Council, and they convinced the National Convention that England was not only 'unneutral' but openly belligerent. The day following the French declaration of war, Lebrun wrote to Maret that there was no longer any doubt about English intentions and that the Executive Council had exhausted every means of *rapprochement* with the haughty ministry of George III. Therefore,

vous concevrez facilement que les négociations que le général Dumouriez étoit chargé d'entamer avec Lord Auckland n'auront aucune suite et qu'il n'y a que le succès de nos armées qui puisse désormais inspirer au gouvernement Britannique des sentiments plus analogues à la justice de notre cause.⁴

Throughout the Anglo-French crisis Miles's relationship with Pitt remained cool, distant and tenuous. Pitt's interdict upon Miles for com-

¹ P.R.O. 30/8/159: Miles to Pitt, 6 Feb. 1793. Other references to Maret's mission are in: Miles MSS., vol. 28 (23 Jan.–29 Feb. [sic] 1793), pp. 26–8: memorandum, 31 Jan. 1793; Miles, *Correspondence with Le Brun*, pp. 102–4.

² Miles MSS., vol. 27 (7–20 Jan. 1793), pp. 46–53: Mourgue to Miles, 13 Jan. 1793.

³ *Correspondence of W. A. Miles*, ii. 55: minute, 31 Jan. 1793.

⁴ A.A.E., C.P. Angleterre 586, fos. 378–9: Lebrun to Maret, 2 fév. 1793.

municating with members of the Executive Council had brought the two near a breaking-point. By some of Pitt's friends Miles was considered disobedient, 'democratic', and even subversive, but Pitt was inclined to consider him more meddlesome than subversive, more wanting in judgement than in patriotism. He still desired his journalistic support and finally granted him the long-sought pension of £300 per annum. In addition, Miles continued to receive £200 annually from the secret service funds.¹ On the other hand, his earlier ardour for Pitt waned rapidly, not only because of Pitt's departure from his programme of internal reforms, but because of his inexperience in conducting foreign affairs. 'Circumstances will soon determine', he wrote to his old friend Lord Fortescue, 'how much longer I shall exert myself to support Mr. Pitt and his Administration'.²

Miles continued, however, to support Pitt with his pen throughout the next three years. With respect to the origins of the war, he upheld Pitt as a man of peace who had been 'forced into the war much against his inclinations', partly because of the personal influence of George III, but primarily because the Executive Council had provoked the war. Miles re-echoed this thesis in the government newspapers, in letters to friends and in his pamphlets, the most important being *The Conduct of France towards Great Britain Examined* (1793), *A Letter to the Duke of Grafton* (1794), *A Letter to Earl Stanhope* (1794), and *Authentic Correspondence with M. Le Brun and others* (1796). The last-mentioned pamphlet is by far the most valuable, the best written and the most reflective and objective. Though obviously hurt by the changing tides which now separated him from Pitt, he wrote without malice or resentment, frequently with magnanimity towards a man he once held in high esteem: 'O God! that a man who was once so high, so deservedly high, should have fallen so low!'³ He defended Pitt from the Opposition's charges that the prime minister had instigated the war and was perpetuating it for political reasons. Pitt, he now argued, had been reluctantly forced into a war against his pacific inclinations. 'Compelled to go into bad company for great political purposes', Pitt was more the victim of war hysteria and more the pawn of George III than the instigator of the war.⁴ Still, he preferred Pitt to Fox, and though his admiration of the former had cooled as much as his condemnation of the latter, he now saw the two men as but 'two shrubs on the vast plain'.⁵

Then came the year 1797, a significant watershed in the relationship of Pitt and Miles. To be sure, the two had parted company in 1794, but Miles did not sense the finality of the break until 1797 when he was informed

¹ P.R.O., E 403/2393, E 404/329. Miles's pension began on 20 July 1793. The warrants of the exchequer show that he received £300 per annum under the sign manual until his death. In addition he received £200 per annum from the treasury from June 1791 (P.R.O. 30/8/159: Miles to Pitt, 9 Feb. 1797).

² Miles MSS., vol. 27 (7-20 Jan. 1793), p. 64: Miles to Fortescue, 15 Jan. 1793.

³ Miles, *Correspondence with Le Brun*, p. 10.

⁴ *Ibid.*

⁵ *Ibid.*, p. 107.

through Long and Rose that Pitt considered him to be 'disaffected' and said that 'the less intercourse they had with him, the more acceptable they would be to Government'.¹ Under eternal quarantine, Miles was roused to reply with one of the most vociferous attacks ever made upon a prime minister, condemning Pitt's iniquitous abuse of power and his meanness in taking 'so spiteful a revenge' which made it a crime for an independent man to hold communication with government officials.² He threatened to reveal all his transactions with the government, including some sensitive and delicate communications with the prime minister, if necessary, to defend his honour. Henceforth he attacked Pitt viciously in the press. The war was no longer one forced upon England by the French; it stemmed from the 'officious, indiscreet, unjust, envious interference' of Pitt's government in the domestic policy of France.³ He placed the responsibility for it directly upon George III for his provocations and indirectly upon the 'apostate' Pitt, 'this Gulliver in Lilliput', who 'preferred war, or rather who preferred his place on being required in 1791 to war with France or resign'.⁴ Miles reiterated his new version of the origins of the war in letters to friends—now more likely to be members of the Opposition than of the government—and in anonymous letters to the press, but it was not until after Pitt's death that he published it under his own name in his longest work, *A Letter to the Prince of Wales*. 'In strict justice', he now wrote, 'the commencement of the contest should date from the moment the British Cabinet had decided the measure in 1791, and not in 1793'.⁵ Facing the ultimatum of George III in 1791—war with France or resign—Pitt preferred sacrificing his public duty by flinging England into the war. To preserve his own position, he seduced the whigs into joining him against jacobinism, recruited Burke to whip up public indignation against France, and encouraged all to sustain the fight by holding out the prospect of pilfering a 'sugar island' or two.⁶ In fact, all the elements of Laprade's thesis are present in this pamphlet, which was the basis of Rosebery's condemnation of that 'busybody' Miles who 'left it on record that George III bullied Pitt into war'.

Miles's sole source of information for this revised thesis is Lord Moira, who, according to a note among the Miles manuscripts, 'was sent for express at the time to return to town and to place himself at the head of an administration of his own forming'.⁷ The absurdity of this happening in 1791 has been fully exploded by Rosebery, but the feasibility of its happening in January 1793 must be taken more seriously. In fact, at this time George III's

¹ P.R.O. 30/8/159: Miles to Pitt, 18 May 1797.

² *Ibid.*

³ *Independent Whig*: 'Tiberius Gracchus' to Editor, 22 Feb. 1807.

⁴ Miles MSS., vol. 48 (1806 and later), pp. 3-12: Miles to marquess of Lansdowne, 3 Jan. 1806. Only a small part of this letter has been published, severely edited, in *Correspondence of W. A. Miles*, i. 104.

⁵ W. A. Miles, *A Letter to His Royal Highness the Prince of Wales; with a Sketch of the Prospect before him* (1808), p. 84.

⁶ *Ibid.*, pp. 48-52.

⁷ Latham Library copy of Miles's *Letter to the Prince of Wales*, p. 133.

position was widely known; no one would have questioned the probability of Hawkesbury's delivering the ultimatum to Pitt; and *The Times* printed the rumour of Pitt's pending resignation because of his irreconcilable position with the king on the issue of the war.¹ Miles was so certain of his evidence that he published his pamphlet under his own name and challenged anyone to deny the facts. Though courageous, Miles was no fool, and more than one editor went to prison for making less severe attacks on the king. The *Independent Whig* spread the story that Miles was to be sent to Newgate, but nothing happened. Why? Did Miles have the documents in his possession as he claimed, documents which would illustrate 'the inflexible resolve to war with France at all events'?² If he had, they have since been lost, at least they are not among the Miles manuscripts. Neither Moira, nor the prince of Wales, nor Hawkesbury, the only other witnesses involved, have left behind any substantiating support. It would also seem reasonable that if any evidence had been available in Miles's original files, his son, knowing its significance, would certainly have published it.

A more plausible hypothesis is suggested based upon the changing political situation after the death of Pitt. Sixteen long years of fighting, suffering, inflation and frustration separated the outbreak of war from the publication of Miles's *Letter to the Prince of Wales*. No sign of peace was in sight in 1808; indeed, Napoleon was then at his zenith. At this time Miles found himself much closer politically to the successors of Fox than to those of Pitt on such issues as parliamentary reform, peace with France, abolition of the Test and Corporation Acts, Catholic emancipation, slavery and factory legislation. In this setting, Miles was more receptive to the charges of Carlton House which had long clamoured that Pitt had premeditated the war of 1793. Since he had always believed that Pitt finally succumbed to the pressure of the king in joining the war party of Hawkesbury and Burke, it was not a great step to accept the 'war or resign' story from Moira. It made sense to Miles because it explained why the minister of peace had become the reluctant minister of war. Moreover, Miles hoped to gain political employment through Moira as soon as the prince became regent, and this appeared more and more likely with the failing health of the king.³ But Moira's backing was not enough. Miles lacked ministerial support because his political views and pamphlets had offended many, especially Lord Liverpool, whose father, Lord Hawkesbury, he had treated with the utmost contempt.

For the remaining years of the Napoleonic wars Miles continued his attack on Pitt and his successors in the radical press, especially in the *Independent Whig* and the *Statesman*, under a score of pen-names of which 'Tiberius Gracchus' and 'Hampden' were his favourites. His liberalism now began to border on radicalism and some issues of the *Independent Whig* were filled with his invectives against the government and the social order.

¹ *The Times*, 19 Nov. 1792.

² Miles, *Letter to the Prince of Wales*, p. 132.

³ Miles MSS., vol. 47 (1812), p. 49: Miles to Moira, 3 Nov. 1812.

These 'manly effusions', the editor of the *Independent Whig* wrote, come from a writer 'whose fame in the literary and political world stands almost unrivalled by any modern writer'.¹ Miles also started to write a history of the French Revolution, and as soon as the wars ended, he returned to the continent to resume his friendship with Lafayette. Residing near LaGrange, Miles spent his last months with the revolutionary leader whom he had defended almost single-handed against Burke's tirades. More than anything else, Miles's attack on Burke was responsible for Pitt's alienation. From Lafayette Miles secured a number of documents which are still preserved among his manuscripts.² Unfortunately, he did not live to finish his history and only fragments of his final manuscript remain, although it seems reasonable to conclude that it would have been in large part a revision of his *Letter to the Prince of Wales*. We can also deduce his central thesis from the nature of his inquiries to Lafayette. In one of his letters he asked the general whether 'the sum had been ascertained which the British Cabinet paid to the Brissotin faction to declare war against England'.³ It appears that the intelligent but sometimes naïve Miles not only accepted the anti-Pitt anecdotes of Carlton House but the Anglophobia of Lafayette's LaGrange as well.

The Spa Fields demonstrations which occurred at that time caused Miles to suspend publication of his last work. Convinced that England was in danger from the widespread popular ferment which threatened to subvert the government, he chose not to 'spread the compost on the weeds to make them ranker'.⁴ The radical agitation for parliamentary reform through the press and mass meetings led to the repressive legislation of the press and speech in 1817. Miles's own anonymous editorials in the *Independent Whig* had done much to whip up the agitation, but he stopped short of riots, mobs and insurrections, even of annual parliaments. Soon after he decided to suspend publication he died on 23 April 1817 and was buried in the Père Lachaise cemetery in Paris.

There is little reason to believe that Miles possessed additional documents of any significance about the outbreak of the war of 1793. In all probability he viewed the origins of the war in much the same light as he had in 1808, although his unpublished pamphlet would very likely have been a still stronger indictment of George III and Pitt.

In retrospect, one must conclude that Miles's last pamphlets are his least valuable, most biased and vitriolic, reflecting the resentment of a discharged civil servant towards Pitt whose rejection of him he viewed as Pitt's greatest

¹ *Independent Whig*, 20 Apr. 1817.

² They are listed by C. P. Miles in *Correspondence of W. A. Miles*, ii. 396, and include a letter addressed to 'Wm. A. Miles, Esq.': 'Bulletin d'un Citoyen français sur la Situation Politique de la France, au 1^{er} Octobre, 1815'.

³ Miles MSS., undated note in loose correspondence, very likely written in 1816 or 1817.

⁴ Miles MSS., loose correspondence: Miles to Sir Matthew Wood, 20 Feb. 1817. About half the letter is published in *Correspondence of W. A. Miles*, ii. 396-400.

betrayal. His malice towards Pitt permeates his later works, lessening their usefulness. In many respects his earlier pamphlets contain the antitheses to the themes in his later publications. In this sense, Miles, like the enraged viper, had turned on himself and expired by his own poison. And yet his letters and pamphlets on the French Revolution are perhaps the most perceptive in the English language, not excepting those of Edmund Burke or Gouverneur Morris. His published correspondence with Lebrun in 1796 contains his most balanced judgement on the origins of the war, a point of view which is still defensible. At his best, Miles could match the vigorous rhetoric and stinging invective of Burke; at his worst, his writing was too laboured, cumbersome and undisciplined. It needed refinement, but the impulsive and impetuous Miles lacked the necessary patience to rewrite, to restructure or even to edit. His writings contain therefore much self-pity and self-righteousness, sentences so long that the reader is lost in the labyrinth, invectives so caustic that they destroy themselves. But collectively they reflect a brilliant if unhappy mind, a courageous spirit, a keen observer with some insight and a vision often a century ahead of its time.

HOWARD V. EVANS

Notes and Documents

Commons' Immunity from Arrest: the Earliest Known Case (1340)

THE earliest examples hitherto known of members of the Commons benefiting from the privilege of immunity from arrest during a parliamentary session date from the fifteenth century.¹ I have discovered among the memoranda rolls of the exchequer an example dating from 1340.² The member in question is John de Godessfeld.³ The background to the case is as follows. On 14 May 1330 John de Godessfeld had taken at farm from the king certain lands and tenements in the City of London. He allowed this property to fall into such disrepair that he was eventually prosecuted by Geoffrey de Aston on behalf of the king. Proceedings were begun in the exchequer court on 25 November 1339, when Godessfeld was present. He was absent from subsequent attempts to resume the case until 20 January 1340 when, being found in the exchequer court, he was committed to the Fleet prison. There he remained until 25 April, when he was released by order of the king and for a very special reason:

Postea videlicet xxv^o Aprilis hoc anno predictus Johannes de Godessfeld deliberatur adpresens a prisona predicta de precepto Regis eo quod coram ipso Rege testatum est quod ipse Johannes tempore quo arrestatus fuit et prisone commissus etc. fuit hic in parlamento Regis pro hominibus de Bedeford iuxta summonicionem eiusdem parlamenti facturus et recepturus prout alij etc.

Thus, Godessfeld was returned to the parliament of January 1340 by the men of Bedford borough. He was about, as it were, to take his seat on the first day of the parliamentary session, 20 January, when he was arrested and committed to prison. There he languished, and the parliament to which he had been returned completed its business and dispersed on 19 February. Another parliament met on 29 March and sat until 10 May, and it was during this second parliament, on 25 April, that the king ordered Godessfeld's release on the grounds that the privilege of Commons' immunity from arrest had been flouted.

The striking feature of this case is that Godessfeld was released after the dissolution of the parliament to which he was returned. Probably there were

¹ A summary of this subject will be found in *Taswell-Langmead's Constitutional History*, ed. T. F. T. Plucknett (11th edn., 1960), pp. 196 ff.

² The complete case will be found in the Public Record Office, Lord Treasurer's Remembrancer's Memoranda Roll: E 368/112 m. 20, 20d.

³ The case under discussion is of additional interest because it reveals the name of a member of parliament hitherto unknown. There are no extant returns or writs *de expensis* for Bedford borough for the parliament of January 1340.

protests during the second parliament of 1340 about the infringement earlier in the year of Commons' immunity from arrest. The king's order of 25 April for Godessfeld's release was doubtless intended to make amends for the infringement of this privilege. It was a public admission that the exchequer's arrest of Godessfeld was *ultra vires*.¹

W. N. BRYANT

The Clerks and Records of the House of Commons, 1600-1640

WORKING on the history of the house of commons' records in the eighteenth century, I became increasingly interested in the personalities of the Commons' officers. By that time of course the House had a very much larger staff than in the seventeenth century and biographical information on many of these office holders is fragmentary. Piecing together their careers I found that many of them were pluralists, or at least had extensive interests apart from their official positions and that these outside activities have interesting political and other implications for the history both of the House as an institution and of legislation in general. To analyse what was being done about the Commons' records in the early eighteenth century it became necessary to review the literature concerning the earlier Commons' Journals and while this was being done in the light of information acquired from the eighteenth century some new facts of general importance emerged.²

The history of the Commons' records is interwoven with the political position of the clerks. The office of clerk of the Commons, or under-clerk of the Parliaments, was held by patent; that is, it was in the gift of the crown, but it was also a very marketable piece of property. No work has been done on the under-clerkship to compare with Mr. Bond's masterly survey of the clerks of the Upper House.³ I cannot hope to emulate that list, even for this very short period. I have not pursued my enquiry through the long reign of Fulk Onslow⁴ to discover whether Ralph Ewens held a reversion of the office. It appears that he did not, since there is a gap of several months

¹ I would like to thank Sir Goronwy Edwards for discussing this case with me.

² More than 50 years ago, A. F. Pollard suggested that a study of the clerks would throw light on the history of parliament and its records: 'The authenticity of the "Lords' Journals" in the 16th century', *Trans. Royal Hist. Soc.*, 3rd ser., viii (1914), 17-39. The classic account of the Commons' Journals is Professor Sir J. E. Neale's 'The Commons' Journals of the Tudor period', *ibid.*, 4th ser., iii (1920), 136-70.

³ M. F. Bond, 'Clerks of the parliament, 1509-1953', *Eng. Hist. Rev.*, lxxiii (1968), 78-85.

⁴ On the acting clerks during Onslow's frequent illnesses in the last years of Elizabeth see A. F. Pollard, 'Queen Elizabeth's Under Clerks', *ante*, xvii (1940), 8-11.

between the death of Onslow and the date of Ewens's patent.¹ But at least from that time the grant of reversions (no doubt for valuable consideration) became common.² The practice was of advantage to the patent officer, since he was able to capitalize, to some extent, the value of his holding; it was of advantage to the reversioner, giving him certainty of succession; and in the case of parliamentary clerkships it was of advantage to the crown,³ who could make sure, in good time, that an office would not fall into the wrong hands through inadvertence, in a time of bustle and hurry at the beginning of a new parliament. The practice in this case might also work in the interests of efficiency, since frequently the reversioner was already working as assistant to the holder and thus had a promise of promotion and a vested interest in the continued prosperity of the office, though whether this was equivalent to the public interest remains a debatable point.

Ralph Ewens, with or without a reversion, became clerk of the Commons in January 1603, in a time of no parliament a little before the queen's death. That he was a *persona grata* in the new reign is shown by his appointment in August 1603 as auditor to James's queen. His relationship with Cecil is illustrated by their correspondence on the queen's business.⁴ Whether this relationship is the result or the cause of his appointments I leave to the experts in the period, but the fact and its implications for the Commons' clerkship is undeniable. Ewens was a King's man.

In 1607 the opposition element in the Commons, led by Sandys, tried to obtain control over the entries to be made by the clerk in the Journal and in particular to prevent the entry of royal messages which might be drawn into precedents against the privileges of the House. Speaker Phelips, struggling almost single-handed against this onslaught, declared 'the Clerke is to be trusted'⁵ but the House did not believe it. Ewens indeed seems to have felt some difficulty about his position, as must all the clerks throughout this troubled period. They were political animals: gentlemen of the same standing and subject to the same pressures as the members of the Houses they served. One must not think of them as inheritors of the modern clerkly tradition of impartial independence. When Cecil demanded a copy of the

¹ O. C. Williams, *The Clerical Organization of the House of Commons, 1661-1850* (Oxford, 1954), p. 5.

² It was already the rule in the Upper House. See the list in Bond, 'Clerks of the parliament', for the extraordinary gyrations by which Bowyer, Knyvett and Elsyng Sr.—a family phalanx—made certain one or other of them lived to enjoy the profits. See also M. F. Bond, 'The formation of the archives of parliament', *Jour. Soc. Archivists*, i (1957), 151-8. Bedingfield may also have had some connection with the Knyvett family.

³ In 1621 the Lords petitioned the crown not to grant any more reversions without consent of the House (*L.J.*, iii. 42).

⁴ *Cal. S.P. Dom. 1603-10*, pp. 34, 51, 55, 132, 557. Hist. MSS. Comm., *Salisbury (Cecil) MSS.*, xvi. 182.

⁵ *The Parliamentary Diary of Robert Bowyer, 1606-7*, ed. D. H. Willson (1931), p. 344. Phelips's position is clearly shown by his letter to Cecil of 16 June 1607 and by his demand for increased compensation for his services, Hist. MSS. Comm., *Salisbury (Cecil) MSS.*, xix. 59, 154-5.

Commons' memorial on the contract, of 21 July 1610, Ewens did deliver it to his colleague of the Upper House, but secretly, at his home and 'with this proviso, as to a friend, not an officer or clerk of the upper House'.¹ If one asks whether Ewens was 'ordered to copy out for specific purposes portions of the draft Journal which concerned special topics'² the answer must be 'yes' and he was rewarded for his pains. Two days after he secretly delivered the papers on the contract to Bowyer, Ewens was granted £40 'by way of reward for his extraordinary pains and charges in sundry honorable services sithence the beginning of this parliament'.³ There was nothing secret about the terms of the contract as proposed by the Commons, since the House itself wished the proposals to be promulgated, so one can only speculate as to what additional information was being conveyed by Ewens that was worth £40. He sent more papers on the contract to Salisbury on 10 August 1610.⁴

Ewens officiated through the short autumn session of 1610 but did not live to see another parliament. The succession was already provided for, however, by the grant of the reversion of the office, in February 1606, to William Pynches.⁵ Pynches does not appear in the lists of clerks⁶ but there is no doubt that he held the office.⁷ When Ewens died, Lord Chancellor Ellesmere sent Pynches at once to take over the Commons' papers and also made provision for the proper officer to collect the papers concerning Ewens's office as queen's auditor.⁸ On 15 February 1608 Pynches was also granted the reversion of the keepership of Bew Castle in Cumberland⁹ and in April 1611 he petitioned for the place of writing of commissions of appeal in chancery.¹⁰ Evidently Pynches was regarded as a safe man, but unfortunately he did not live to exercise his clerkship and at this point it appears that someone made a mistake.

John Wright was appointed clerk not, as has been supposed in 1613, but in November 1612.¹¹ I can throw no new light on his activities as clerk while he served the office from 1614 to 1629 in the last three parliaments of James and the first three of Charles. He fell out of favour with the court and was arrested after the 1621 session¹² but it says something for the power of patents that it was not thought possible to remove him for in 1628 it was said of him

¹ *Proceedings in Parliament, 1610*, ed. E. R. Foster (New Haven, 1966), i. 163, n. 11. Bowyer's own career is a fascinating reflection of this discussion.

² *Ibid.*, p. xli.

³ *Ibid.*, p. xxxix and see below p. 224.

⁴ *Cal. S.P. Dom. 1603-10*, p. 628.

⁵ P.R. 3 Jac. I, pt. xxiii.

⁶ Neale, *ubi supra*, p. 158.

⁷ Three successive clerks of the Lords were appointed in the period of no parliaments, 1629-40. Bond, 'Clerks of the parliament', p. 83.

⁸ *Cal. S.P. Dom. 1611-18*, p. 71.

⁹ *Cal. S.P. Dom. 1603-10*, p. 405.

¹⁰ *Cal. S.P. Dom. 1611-18*, p. 24. There was a dispute about it and it is not clear who won.

¹¹ *Ibid.*, pp. 156, 159. P.R. 10 Jac. I, pt. viii.

¹² *Commons' Debates for 1629*, ed. W. Notestein and F. H. Relf (Minneapolis, 1921), p. xxv.

that of all men in the House 'he hath done worst service to his Majestie'.¹ Wright died early in 1633 and on 11 March Mr. Secretary Windebank seized the Commons' records from his house.² Perhaps this somewhat drastic step was taken simply because there was no proper officer to send for the papers, as there had been in 1611.³ It does not appear that anyone held a reversion of the clerkship at that time or that any new appointment was made; the office was in abeyance; no one had thought it worth while, or perhaps no one had been permitted, to buy a reversion from the recalcitrant Wright. The Commons' records remained in governmental custody until in December 1639 Charles was persuaded that it would be essential to call another parliament. Henry Elsyng junior was then appointed clerk, but with the precaution that his patent was not for life, as had been the usual custom, but only during pleasure.⁴ However, in this case, the crown had made a wise choice; Elsyng's inclinations were royalist. He docilely handed in the Commons' records again at the end of the Short Parliament⁵ while Thomas Crewe went to the Tower for refusing, to his face, the king's repeated requests that he should hand over to Elsyng the papers of the committee on religion of which he had been chairman;⁶ Crewe evidently realized only too well what Elsyng would do with them.

Well might the Long Parliament appoint a committee 'to consider what the Duty of the Clerk is, in the safe-keeping of the Records of this House'.⁷ And although, according to the Journal, John Rushworth had been appointed clerk assistant at the beginning of the Short Parliament at Elsyng's own request⁸ one does wonder whether it was not rather the case

¹ *Commons Debates for 1629*, p. xxv.

² The list of what was found is summarized below, pp. 228-31.

³ Commenting on the seizure of Coke's papers the following year, J. P. Kenyon remarks that 'this was part of a general movement' (*The Stuart Constitution* (Cambridge, 1966), p. 104n.).

⁴ It has been supposed that Elsyng succeeded Wright, directly, in Dec. 1640 while the Long Parliament was in session. This is incorrect. Wright was certainly dead by 11 March 1633 and Elsyng's patent is P.R. 15 Car. I, pt. xxii which is 21 Dec. 1639. Elsyng certainly served in the Short Parliament. It is not easy to be certain that he did not have an earlier reversion but the belief that he did not is strengthened by his petition for the Lords' clerkship after Bedingfield's death; he could hardly have written in the terms that appear there had he held the lower office or the reversion to it (*Cal. S.P. Dom. 1625-49*, p. 545). For the dating of this petition to late 1637 see *The Knyvett Letters*, ed. B. Schofield (Norfolk Record Soc., xx, 1949), p. 92n. There is a tradition that Elsyng owed his appointment to Archbishop Laud; he was well qualified for the post, having acted as assistant to his father in the house of lords (Williams, p. 5n.).

⁵ S.P. Dom. Car. I, vol. 452, no. 30.

⁶ *Privy Council Registers Reproduced in Facsimile*, x, 498, 537, 544. Peard, chairman of the committee for courts of justice, did hand in his papers. Some papers were also handed in by Corbett who was a member, but not reporter, of the committee for grievances.

⁷ *C.J.*, ii, 22 and below, pp. 226-7.

⁸ *C.J.*, ii, 12.

that some members wished to have at least one man at the table on whom they could rely.¹ This is not to suggest that Elsyng did not serve the House faithfully enough; he remained with the parliament when the king left, and carried out his duties, including the issuing of documents ordered to be published by the House.² But Rushworth's services to the parliament and the army were of a quite different and much more energetic order, so that his signature became 'far above [that of] John Brown or Henry Elsyng'.³ Whether Elsyng deserved Whitelocke's well-known encomium that he was 'the most excellent Clerk, both to take and express the sense of the House, that I believe ever sat there'⁴ has been questioned⁵ and no doubt it arose from friendship and the circumstances of Elsyng's resignation. 'He was a particular friend of mine and Mr. Selden was fond of him; we were often together at Mr. Elsing's house, who gave noble entertainment'.⁶ Elsyng's kinsman, the royalist Thomas Knyvett, also found the accommodation handsome: 'I may be very proude of my Lodging for ther is not a finer in the towne'. Knyvett hoped Elsyng might get the Lords' clerkship since 'he doth much labore for it . . . for he is a very loving kind harted man' and also 'we shall not want of a stowage whensoever we have a minde to come to London'; this would be convenient since he had been 'so kindly intertaind . . . & no mony either for dyet or Lodging wil be taken'.⁷ When Knyvett was first arrested for complicity in the Lowestoft rising he urged his wife to 'make hast to Harry Ellsings' to solicit his release.⁸ Knyvett

¹ See the very interesting remarks in Williams, p. 12, n.1 and pp. 51-2 on the position of the clerk assistant.

² Notably the 'Remonstrance . . . concerning the business of Hull', 19 May 1642. The editors of *Biographia Britannica*, not understanding the practice of issuing parliamentary documents over the signature of the clerk, dismiss this from the canon of Elsyng's writings as being 'too virulent to be consistent with Mr. Elsyng's character'. The House of Lords Record Office has recently acquired a copy of this document with the Braye MSS. and made heavy weather of describing it (*House of Lords Record Office Memorandum No. 7*, p. 3). The remonstrance is perfectly well known. It passed the Lords 19 May 1642 when the clerk left a space to enter it in the Journal but did not do so. It was then printed and expedited 26 May; clearly it was sent in printed form to the king. At least four printed versions in six sheets quarto appeared almost at once. That printed by Huns Scot & Wright for the Upper House has the *imprimatur* of John Browne and a corrected edition issued by the Commons on 4 June bears Elsyng's name. It is reprinted in J. Rushworth, *Historical Collections* (2nd edn., 1721-2), iv. 577-88; and Cobbett's *Parliamentary History of England*, ii, cols. 1297-1314.

³ D.N.B.

⁴ B. Whitelocke, *Memorials of the English Affairs* (1732), p. 364.

⁵ Williams, p. 6n. In the 1793 edition of *Biographia Britannica* the editors deprecate 'such unqualified assertions' and coyly remark, 'we are informed that living merit, in the office we are speaking of, is very great'.

⁶ Whitelocke, p. 364.

⁷ *Knyvett Letters*, pp. 90-3. The contrast is marked with Mrs. Knyvett's own mother, Lady Burgh, who proposed to charge her daughter 20s. a week for board while staying with her (*ibid.*, p. 153).

⁸ *Ibid.*, p. 114.

continued to visit Elsyng and receive information and advice from him during his struggle to recover his sequestered estates in 1643-4,¹ and in 1646 Knyvett showed Elsyng a worrying letter he had received from Oliver Cromwell himself and obtained advice on how to reply to it.² In July 1648 Elsyng was absent from the House on a plea of ill health and in December of that year resigned his clerkship on the same ground, but he admitted to Whitelocke and other friends the true reason: 'because he would have no Hand in the Business against the King'.³ Certainly he appears to have been in good health and able to do a little active match-making, in August 1649.⁴ Later, he petitioned for one of the auditorships of the Prests, saying that his health was restored and he wished 'to employ the utmost of his abilities in the service of the Commonwealth'.⁵ But evidently he was unsuccessful and his fortune, which appears to have been considerable, had vanished by 1654 when he died in poverty.⁶

It seems likely that an investigation of the later history of the Commons' clerkship, especially around the time of the Restoration, would reveal a similar pattern of political involvement as has been outlined for the first half of the century, but the subject cannot be pursued here. I must leave it to the experts in the period to consider the full implications of these facts for political history and for the history of the Commons' records, but it does appear that a new interpretation of the latter is called for and I would very tentatively suggest that it may be found along the following lines.

In the first place it is clear that the Commons' records did not invariably remain in the possession of the clerk and the loss of them is therefore not necessarily to be attributed to their being carried around as part of his personal baggage.

Secondly there is a question as to what loss really occurred. Sir John Neale postulates the existence of two sets of manuscripts for the period 1584-1601 which are now missing.⁷ He shows that D'Ewes used the clerk's rough notes and he believes that there was also a finished journal which was already lost when D'Ewes was writing. The proposition that there was a finished journal rests on three pieces of evidence. First the assumption that since Onslow wrote up his notes for the parliaments of 1571-81 he most probably did so also for the later meetings; secondly, the existence in the volume used by D'Ewes of a fragment of a second version of the notes for 1586; and thirdly the existence amongst the State Papers of a later copy of a complete transcript of one journal entry, in proper form, for 29 March 1589. The first point can only be a matter of conjecture; we know that Onslow was

¹*Knyvett Letters*, pp. 116, 127, 136, 155-6. See also the advice he gave, through Knyvett, to John Buxton (*Hist. MSS. Comm., Var. Coll.*, ii. 260-1).

²*Knyvett Letters*, pp. 41-2.

³Whitelocke, p. 364.

⁴*Knyvett Letters*, pp. 44-5.

⁵British Museum, Add. MS. 34326 fo. 27.

⁶Williams, p. 6.

⁷The discussion in this paragraph is based upon Neale, *ubi supra*, pp. 145-53.

often ill during the later period;¹ we know too that the habit of writing a revised journal could lapse again after becoming much more habitual than it was in 1584.² We have no information as to the nature of the second version of the notes for 1586, but only that a second—not necessarily a more finished—version existed. The third point is the most weighty, but too much cannot be made of a single entry, which might be written out fair for a specific purpose without the whole session's notes being transcribed.³ Never again in the whole period is there a journal as 'finished' as the book called Onslow, in the sense of being written out completely fair, without corrections.

The list of 1633, summarized below, shows that there were then in existence four volumes for the Elizabethan period. The first two are the books called Seymour and Onslow which were already bound up in the order that we have them today. The other two are books 'of Originals'. From the evidence of the list for the Stuart parliaments I think it is safe to assume that 'a book of originals' means what we have now learned to call a 'scribbled book' or at least some form of draft journal. The Elizabethan books of originals are said to cover respectively 1580-1601 and 1571-1610. The former may well be the volume used by D'Ewes; that volume contained a fragment of the 1580/1 journal as well as the later parliaments, so the dates fit exactly. But the second volume is very mysterious. The terminal date must surely be an error for 1601. The person who took the list was not very interested in matters earlier than Charles's reign and might well have made such a slip; it is improbable that a volume would be bound to over-run the ending of a reign; nor does it seem likely that so many years could be packed into one volume. Furthermore, if the dates are correct, what sort of a book could this be? If it really contained Onslow's rough notes for 1571-1601, who kept the other book for 1580-1601 and who continued this book after Onslow's death? It was not Ralph Ewes for we know that he kept separate books for each parliament, and they are specified separately in the 1633 list.

Nor will the alternative explanation suffice: that, in spite of the list, this volume was not a scribbled book but a finished Journal. We already have a finished Journal for 1571-81 in the book called Onslow and have no need of another for that period, nor is there any evidence at all that the journals for 1601-10 were ever written up in final finished form; everything that we know to have existed for that period is accounted for in the later stages of the list.

If it may be assumed, therefore, that the dates of the second book should read 1571 to 1601, I would suggest as a possible explanation of its contents

¹ Above, p. 215 and n. 4.

² See below, p. 226.

³ Compare the clerk's book of orders printed in *Commons Debates*, 1621, ed. W. Notestein, F. H. Relf and H. Simpson (New Haven, 1935), vi. 443-82. This consists of orders on a variety of topics, written out individually and formally, with Latin headings; they bear no resemblance to any surviving Journal entries for the year, although at first glance they appear to be transcripts of finished entries.

that it represents a second stage in Onslow's work.¹ Presumably Onslow had a first stage rough book for 1571-81 which is now lost, similar to the book for 1580-1601 used by D'Ewes. From this he could have prepared a second stage covering all his parliaments and from this second stage he could have begun to write his final finished journal, although so far as we know he got no further than the first four sessions which survive in the book called Onslow. It is possible that there was also a finished book for the remaining sessions but there is no need to assume it, whereas we know that there was certainly a second book which could be described as a book of originals.

On this assumption there is no need to suppose that any Elizabethan records had been lost by the time that D'Ewes was writing. The only problem arising—whatever view one takes of the nature of the second book of originals—is why John Wright loaned to D'Ewes a book for 1580-1601 rather than a book covering the whole of Onslow's clerkship. There is a bare possibility that the book went missing from the Commons' records and was subsequently recovered, but since such a recovery must have occurred between 1630 and 1633 it seems hardly likely. Or, that the second volume was bound for the first time between those same dates. Or, as an even more far-fetched suggestion, that Wright occupied his time between 1630 and 1633 in making a transcript of the journal for the whole period 1571 to 1610, in which case the list is wrong to describe it as a book of originals. Perhaps Wright loaned to D'Ewes the volumes he could best spare and kept the really useful one,² or perhaps the second volume was incomplete—it could have contained sections of draft journal for some, but not all of the parliaments.

The increasing concern of both Houses for the safety of their records has been documented by Professors Foster, Neale and Pollard, but many of the incidents will bear a different emphasis in the light of what we now know about the fate of the Commons' records. The Lords began with the appointment of a committee in 1597 which has been taken to be a committee to supervise the Journal in the general sense of good record-keeping, but in fact that motion for a committee arose from the report of a committee appointed to establish the precedence of a peer. This committee found that the Journals erred 'in misplacing the Lords' and the Journal committee was appointed to peruse the clerk's book 'and the List of the Lords in their

¹The preparation of such a second stage 'Draft Journal' in the Stuart house of lords is described in *The Manuscripts of the House of Lords* (1962), xi, pp. xiii-xv, hereafter cited as *H.L. MSS.*

²This would have been the more unkind if the Braye MS. 1 fos. 1-10 is a fragment of the book in question. See *H.L. MSS.*, xi, pp. ix-x and 6-15 where it is printed *in extenso*. We might have been spared D'Ewes's tedious strictures on Onslow had he been given access to such an excellent account. To suggest that this may be a fragment of a second stage journal is of course nothing but the merest guess, but it is in keeping with Bowyer's rules for the clerk—that he should write at full length for his private use and then reduce again for the formal entries in the final journal (see Pollard, 'Lords' Journals', p. 33).

Order to be subscribed by them, taking unto them for their better information the King at Arms'.¹ That is, the committee was concerned with precedence of nobility, rather than with the state of the records in general. It was not until 1621 that the Lords really took their records in hand. And it is interesting that the move was then associated with the establishment of the privileges of the House, with the protest against reversions, and with the evolution of a form of oath for the clerk assistant.²

Similarly, in 1607, whatever the result of the appointment of the Commons' Journal committee, the first intention was not to make a perfect record but rather, on the contrary, to keep out of the record matters that might be drawn into embarrassing precedents. The trouble began with the king's letter of 2 June³ 'containing a sharp reproof of the House touching the matter of remanding malefactors' and on the 16th the Speaker delivered a royal message forbidding the House to proceed with the petition against Jesuits. These matters were referred to the committee of privileges but before they could report the Speaker came from the king with another letter which effectively put a stop to the petition. The committee made no report on that part of the matter but insisted on delivering their opinion that the letter of 2 June was not fit to be entered in the records of the House and thereupon gave it back into the hands of the reluctant Speaker. Sir Thomas Holcroft then moved, as a general principle, that there should be supervision of the clerk's entries and the matter was taken up again the next day and carried over the Speaker's objections. The Speaker continued to fight a manful rearguard action, for when the Journal committee attempted to meet on 1 July he seized the opportunity as soon as they had left the House for the committee room, to move the House that 'the said booke of enterances might not be sent up out of the howse'. The committee were in a cleft stick for if 'the Clerke would not deliver the booke out of the howse and then if Mr. Speaker would not permit the Committees to have it setting the howse, then is there no time left'. Bowyer tried to get the committee abandoned and the Speaker made another attempt to rule their activities out of order by declaring that they had no power to appoint a sub-committee, but Sandys won the day and the committee were able to report on 3 July. Professor Foster quotes the report from the Journal and calls it 'an important statement of the committee's purpose'⁴ but the entry in Bowyer's diary makes it much more clear that this purpose was to supervise entries on the three vital topics of privilege, royal messages and conferences; the clerk was not to enter anything 'of theis three natures' without permission. The perfecting of the Journal before the next session was incidental; it was not the committee's

¹S. D'Ewes, *The Journals of all the Parliaments during the Reign of Elizabeth* (1682), p. 528. Pollard omits these essential phrases from his quotation of the passage ('Lords' Journals', p. 33).

²See Bond, 'Formation of the archives of parliament' and above, p. 216, n. 3.

³For this and the following incidents see *Parliamentary Diary of Robert Bowyer*, pp. 332-3, 342-4, 363-4, 367.

⁴*Proceedings in Parliament, 1610*, i, p. xxxviii, n. 21.

proposal, but what the clerk had already 'affirmed to the howse to be his purpose'.

The payment to Ewens of £40 for services to the crown should not be confused with the additional reward he was promised by the committee. In typical house of commons' fashion this in the end amounted to no more than that he was to have an increase out of the next collection¹ and when that time came it was proposed that 'some extraordinary Reward may be thought on'.² Nothing was done in Ewens's lifetime.

We have seen that Ewens was succeeded by William Pynches. We do not know the date of the latter's death but it is not unreasonable to suppose that he survived a little over a year from his accession to office and that Wright was appointed soon after his death. When the next parliament opened in April 1614 there was a complaint that the papers of the House had fallen into the hands of executors, with the suggestion that this had happened at the death of Ewens. Sir Thomas Rowe said 'Mr. Wilson is thought to have many of the Books and Papers belonging to this House, which came to my Lord Treasurer's hands by Mr. Ewen's will'.³ Whatever the truth of the first part of this statement, the second is certainly incorrect. Ewens's will is a most touching and extremely personal document.⁴ It was made on 29 August when he found himself 'in body weak, but in sense and memory in all appearance perfect'. He died within twenty-four hours and Lord Chancellor Ellesmere must have taken care to be informed of the fact since not a moment was lost in sending Pynches to collect the Commons' papers.⁵ If there is any truth in Rowe's remark then Pynches did not keep the papers privately but handed them over either to Ellesmere or Salisbury since 'Mr. Wilson' is presumably Sir Thomas Wilson, keeper of the State Papers.⁶

¹C.J., i. 391.

²*Ibid.*, p. 452.

³*Ibid.*, pp. 465, 491.

⁴P.C.C. 74 Wood. Ewens made his wife his sole executrix and heiress apart from some minor bequests. He left her also a chain of gold worth £50 to be specially made and 'knit together by these 3 letters R.E.M. in token of our faithfull love'. Small bequests of money and effects to brothers, sisters, nephews and nieces all breathe the same spirit of deep family affection. The only references of a remotely political character are the bequest of mourning rings to 'the Lord Stanhopp my late dear worthy religious and honourable master and friend' (presumably John, 1st Baron Stanhope, treasurer of the chamber 1596-1616) and to 'my very worthy friend Sir Thomas Smith Knight Treasurer of Virginia and Governor of the East India Company . . . in hope of his care to be taken of my adventures in the said Companies'. Finally, in remembrance of his special deliverance 'from the gunpowder treason being lodged at that time under the court of wards being the next wall to the vault' he left 20s. annually for a sermon on 5 Nov. at his parish church, St. Clement Danes and a similar sum for a sermon on 19 Jan. annually in remembrance of his family's deliverance 'from peril of drowning upon the Thames in the time of the last great fire'.

⁵Above, p. 217.

⁶He had quite recently been appointed and 'spared no pains to increase the importance of his office' (*Guide to the Contents of the Public Record Office* (1963), ii. 1-2). It is not clear who is meant by 'Lord Treasurer'. Salisbury had been lord

If the House papers had been in Wilson's custody he had evidently restored the bulk of them to the new clerk, for early in the session Wright was ordered to attend the committee of privileges with the Journal books and the committee reported without complaint.¹ But something was missing and the nature of it can be seen from Sandys' complaint from the committee on petitions.² He reported that he needed 'the Command of the House, for bringing in the Grievances 4^a Sessione. . . . That Order to the Clerk, for bringing them in; who returned *Non est inventus*—Giveth good Testimony of the Clerk's Care, for getting them in—Relateth the course taken—But certain Fragments remaining, when he saw them'. Sandys got an immediate response from several members who said they had copies of the 1610 petitions and the king's reply and would bring them in for the use of the committee. These, then, were the papers that were missing—unbound sessional papers of 1610. It was in this context that Sandys moved for a repository for the House papers so that they might not 'come into the hands of executors', a phrase which is most unfair to the unfortunate Margaret Ewens who had had the papers in her charge for only a few hours during the first day of her widowhood. It is possible that the missing papers were simply overlooked at the time of their collection, but in that case one would expect some attempt to retrieve them from Ewens's family, instead of which it was agreed to call in Wilson to give an explanation and Rowe was added to the committee to assist the investigation, but no further action is recorded.³

In 1621 the House repeated its request for safe storage for its records but again nothing was done⁴ and we know no more until the existing papers were listed on the death of Wright in 1633. At that time there were four books and eleven bags of papers for the reign of Elizabeth—surely a sufficient tally. For Ewens's clerkship there were three books of originals and four Journals. That is, there is no reference to any record of the short fifth session of James's first parliament in October–December 1610. It is possible that this was lost in the same way as the petitions of the fourth session, or it may have been bound into the volume for the fourth session which is now missing.⁵

To establish the true nature of the missing books and especially the relationships between a book of originals and a journal for the same session will require a minute examination of the existing manuscripts⁶ which I am not competent to undertake. I can do no more here than draw attention to some of the more obvious implications of the list. The manuscripts were

treasurer at the time of Ewens's death. At this date, April 1614, there was strictly no lord treasurer; the office was in commission with Ellesmere acting as First Lord.

¹ *C.J.*, i. 456, 459.

² *Ibid.*, p. 465.

³ *Ibid.*, p. 491.

⁴ Neale, *ubi supra*, p. 154.

⁵ The volume of Petyt MSS. for 1610 originally covered both sessions. *Proceedings in Parliament, 1610*, i, p. xlii.

⁶ Prof. Foster has described the MSS. for 1604–10 (*ibid.*, pp. xxxiv–xlvii). I know of no discussion of the later ones.

already bound in volumes in almost exactly the order that we have them today, although they have since been rebound.¹ The titles in the 1633 list were evidently taken from the covers of the volumes which for the most part no longer exist, so there is an element of guesswork in deciding which of two books for a session has been lost. For the time of Ewens's clerkship we still have six of the seven books that existed in 1633. These six are the manuscripts now numbered 3 to 8 and printed in the *Commons' Journals*;² the missing volume is a revised journal for the fourth session, 1610. It appears, therefore, that Ewens never carried his revision of the journals beyond the stage that we already know of, as exemplified by manuscripts 3 and 7; he did not write out a completely fair copy.

In 1614 and 1621 there were no revised journals at all, but only books of originals (MSS. 9, 10 and 11) which are now printed as the official Journals.³ But there was one extra original book which we now lack, for the second session of the third parliament in November–December 1621: perhaps this was kept by John Wright's son who was acting as assistant to his father.⁴ For 1624, by contrast, there were no less than five books. We still have two of the originals (MSS. 12 and 14) and a revised volume with a Latin title (MS. 13).⁵ We lack another book of originals for the first part of the session and a book called simply 'A Journal of the 22nd of K. James'. This is the first occurrence of the word 'Journal'. For 1625, at least, the position is perfectly clear. There was one book of originals, which is now the official Journal version⁶ and 'A like intituled my Sonnes Journall of the Parliamt. 1^o Car. Rs'. This is undoubtedly the manuscript which has recently been rediscovered amongst the house of lords papers.⁷ There were also, as for the previous session, two committee books, of which one has been found at the house of lords.⁸ In the remaining three sessions of Charles I there were Journals, but no original books for 1626 and 1628 and an original book but no Journal for 1629; we appear still to have all three of these.⁹

One more mystery remains. Elsyng certainly was given the books of the House or some of them for the opening of the Short Parliament in April 1640. On the third day he read an order out of the records of the 1629 parliament and the next day it was moved that he should 'look out the Remonstrance for Religion, that was prepared last Parliament'.¹⁰ But the

¹The list of 1733 (Brit. Mus., Lansdowne MS. 553) agrees also with the modern classification, except that the House appears at that date to have mislaid the book called Onslow; it does not appear in the 1733 list! Some of the committee books specified in the 1633 list also occur in that of 1733.

²*C.J.*, i. 139–454, 933–1057.

³*Ibid.*, pp. 455–669.

⁴*H.L. MSS.*, xi, p. xi.

⁵MSS. 12 and 14 are combined *C.J.*, i. 670–715; MS. 13 is printed pp. 715–98.

⁶*Ibid.*, pp. 799–815.

⁷*H.L. MSS.*, xi, pp. xi–xiii and no. 3409.

⁸*Ibid.*, p. xiii and no. 3410.

⁹The Journal for 2^o Car. is now bound in two parts, MSS. 16 and 17, printed *C.J.*, i. 816–71.

¹⁰*C.J.*, ii. 4.

papers that Elsyng delivered in to Secretary Windebank immediately upon the dissolution in May 1640 and which he received again in time for the opening of the Long Parliament in October¹ are only the papers of that one session in 1640. No mention at all is made of the earlier records of the House. In the absence of further information no more can be made of this, but the appointment of the committee of the Long Parliament can be read in a different light when one knows that the records of the House had spent more than six years in governmental custody. The committee were 'to peruse the Journals and Records of this House and see what state they are in', 'to consider of some certain place for the constant keeping' of the records and 'to consider what the Duty of the Clerk is, in the safe-keeping of the Records of this House'.²

Similarly, Hakewill's complaint may have a more ominous meaning when one knows where the papers had been. His statement that the records should be protected so that they would not be 'removed to and fro in hazard of being lost, or corrupted and defaced, as is well knowne that some of them have beene, and that in passages of the greatest moment'³ can be read to mean that while corruption had in fact occurred,⁴ actual loss was simply a risk. If the House, in 1641, still had all the records mentioned in the 1633 list there does not appear to be anything missing, with the possible exception of the fifth session of James's first parliament.

The loss which leaves us in our present condition no doubt took place just before the Restoration as Professor Neale describes. The disastrous part of the loss is that of the two Elizabethan books, but for the rest it is surprising how very little is missing. At the most we lack only six books covering parts of five sessions, for all but one of which we still have other journal versions; and at least one of the missing six has been identified and is still in fact in official custody. Unfortunately it does not appear that any more material can now be discovered at the house of lords since that calendar is complete, but at least, if the missing books are still in existence, we now have a definite idea of what we are looking for.

SHEILA LAMBERT

*Public Record Office, S.P. 16/233 no. 64*⁵

The document is headed 'A Catalogue of such Parliament books and papers as were by his Majesty's command conveyed from the house of John Wright Esq.,
[continued on p. 230]

¹S.P. Dom. Car. I, vol. 452, no. 30.

²C.J., ii. 22.

³Neale, *ubi supra*, p. 157.

⁴Hakewill may have been thinking of King James tearing a page from the 1621 Journal or he may mean no more than that the records had not been very well looked after. It was after all at least 11, and possibly 30, years since he had last looked at the early Journals and he may have been somewhat shocked by the ravages of time.

⁵No. 65 is a copy of no. 64 and is marked 'N.B. The original is the handwriting of Mr. Reade, Secretary to Mr. Secretary Windibanke'.

I. TABLE OF JOURNAL BOOKS

The table below gives the titles of the journal volumes verbatim as stated in the list of 1633 (S.P. 16/233) and shows for comparison the numbers assigned to the surviving volumes in the inventory of house of commons papers made in 1733 (Lansdowne MS. 553) and the modern numeration of the manuscript Journals now remaining in the House of Lords Record Office. The last column shows the pagination of each volume in the printed *Commons' Journals*, vol. i.

<i>Regnal year</i>	<i>Parlt. sess.</i>	<i>Date of session</i>	<i>S.P. 16/233/64</i>	<i>Lansd. 553 No. 1</i>	<i>H.L. MS. 1</i>	<i>C. J. 1-81</i>
		1547-66	One booke in quarto bound in leather indorsed thus E. 6. P. et M. 1 ^o 5 ^o 8 ^o Eliz. Seymour.	—	2	82-138
		1571-81	Another booke in fol. bound in leather indorsed thus 13 ^o 14 ^o 18 ^o 23 ^o Eliz. Onslowe.	—	—	—
		1580-1601	A booke of Originalls beginning in 1580 & ending in 1601.	—	—	—
		1571-1610	A booke of like Originalls beginning in 1571 & ending in 1610.	—	—	—
James I	1/1	19 March-7 July 1604	[A booke] Intituled Originalls of the first Session in A ^o Primo Jac. Rs 1603.	No. 1	4	933-1002
			A booke intituled Prima Sessio Parliament inchoat 19 ^o die Mart. A ^o RRs Jac. 1 ^o 1603.	2 bks	3	139-256
3 & 4	1/2	5 Nov. 1605-27 May 1606	Another intituled Scda. Sessio Parliament inchoat 19 ^o die Mart. A ^o RRs Jac. 1 ^o cont. 5 ^o Novem. 1605.	No. 2	5	256-314
4 & 5	1/3	18 Nov. 1606-4 July 1607	A booke of originalls in 1606: 1607.	No. 3	6	1002-57
			[A booke] intituled Tert. Sessio Parliament inchoat 19 ^o die Mart. A ^o RRs Jac. 1 ^o cont. 18 Novem. 1606.	2 bks	7	314-92

7 & 8	1 / 4	9 Feb.-23 July 1610	A booke of Originalls. A° 1609: 1610. [A booke] Intituled Quart. Sessio Parl. inchoat 19° die Mart. A° RRs Jac. 1° cont. 9° feb. 1609.	No. 4	8	392-454
8	1 / 5	16 Oct.-6 Dec. 1610	—	—	—	—
12	2	5 Apr.-7 June 1614	A booke of Originalls of the first Sessio 5° Apr. 12° Jac.	No. 5	9	455-506
18 & 19	3 / 1	30 Jan.-4 June 1621	A booke of originalls of the 18th & 19th of K. James.	No. 6	10	507-640
	/ 2	20 Nov.-18 Dec. 1621	A like of the 19th of K. James.	No. 7	11	640-69
			Another of the 19th of K. James.	—	—	—
21 & 22	4	12 Feb.-29 May 1624	A like of the 21st of K. James.	No. 8	12	670-715
			Another of the 21st of K. James.	—	—	—
			Originalls: 22° of J.R.	No. 10	14	— ²
			A booke intituled Prima Sess. pliam ^t inchoat apud Westm ^t 19° die Feb. A° RRs Jac. 21°.	No. 9	13	715-98
			A Journall of the 22 th of K. James.	—	—	—
Charles	1	18 June-11 July and 1-12 Aug. 1625	A booke intituled Originalls of the Parliam ^t [3] 1° Car.	No. 1	15	799-815
			A like Intit. my Sonnes Journall of the Parliam ^t 1° Car. Rs.	—	—	— ⁴
1 & 2	2	6 Feb.-15 June 1626	Journall: 2° Car. R.	—	—	—
3 & 4	3 / 1	17 March-26 June 1628	A booke intit. Parliam ^t tent. apud Westm ^t 17° Mart. 3° Car. R.	No. 3	16	816-71 ⁵
			Originalls 4° Car. R.	No. 2	17	—
				No. 4	18	872-920
4	3 / 2	20 Jan.-10 March 1629		No. 5	19	920-32

For NOTES see overleaf.

[Continued from p. 227]

late Clerk of the Parliament¹ deceased to Mr. Secretary Windibank's lodgings in Whitehall the 11th day of March 1632'. The list is divided into two parts, beginning with books, which are listed in a somewhat unsuccessful attempt at chronological order, and followed by papers, in no particular order. The information concerning the Journal books has been tabulated (I above), giving the entries verbatim, but in recording the remaining books and papers (II and III below) spelling has been modernized and entries summarized² where this seemed desirable, following generally the order of the list.

II. BOOKS OTHER THAN JOURNALS

A book touching the Union, 1604.

[A speech in committee of the whole house concerning impositions, 8 Jac.]

Remonstrances of grievances, 1610.

[Three committee books of 18 Jac., 22 Jac. and 1623; two committee books of 1 Car.; three committee books for Religion, Grievances and Courts of Justice, 4. Car.]

Catalogue of the papers of the House of Commons.

[The Treasurer's account of three subsidies and three fifteenths and tenths granted 21 Jac. and exhibited 30 April 1628].

[Five, six or seven copies of each of the arguments and precedents submitted by Selden, Coke, Digges and Littleton].

'A booke intituled the passing of Bills: by whom Bills are drawn & presented to y^e Parliament'.³

A book of petitions of the House of Commons to his Majesty without date.

A book wherein some accounts of the Mint are entered dated 1627.

¹ Contemporaries were often careless about the title of the Commons' clerk.

² Within square brackets.

³ Presumably Hakewill's book, or at least the first section of it.

NOTES TO I. TABLE OF JOURNAL BOOKS

¹ Lansdowne 553 here lists 'One book of the third Parliament beginning on Monday the 2nd of April 1571 and ending 29th of May 1571'. This is marked in the margin '2 Eliz. no. 1'. The dates are those of the third session of Elizabeth's second parliament, so this may be an inaccurate description of the book called Onslow, or a fragment of the 'booke of like Originalls'.

² MS. 12 and 14 are printed together, see C.J., i. 688; they may at one time have been bound together.

³ The word appears to be 'warned' but should presumably read 'Westm^r'.

⁴ H.L. MSS. no. 3409. See p. 226 and n. 7 above.

⁵ The MS. journals 16 and 17 are now (and were in 1733) bound as two volumes but may originally have been one. MS. 16 covers 7 Feb.-23 March, but MS. 17 which ostensibly overlaps MS. 16, its dates being 7 March-15 June, is entitled 'secunda pars' and records proceedings only from 24 March.

III. PAPERS

[One bundle of Acts and one of Orders] 'of divers dates in the time of K. Ja.'

[Similar 'bundles' as follows:

19 Jac. 1 bundle: orders, warrants and letters.

22 Jac. 1 bundle: orders.

1 Car. 1 bundle: acts and bills.

2 Car. 3 bundles: acts and bills; orders; committees.

3 Car. 1 bundle of acts and bills 'without date' may belong to this session.

4 Car. 5 bundles: acts and bills; orders (2); speeches and messages; committees.]

A bundle of Auditors accounts of the first, second and third subsidies granted
21 Jac.

A bundle of presentments of the Knights, Citizens and Burgesses of the several counties of England. 1625.

A roll of parchment containing the presentments of recusants made by the Commons to the King.

A Catalogue of grants and gifts to the Duke.

A bundle of acquittances for receipts of patents from the Clerk of the Parliament.

A bundle concerning the Duke of Buckingham.

A bundle concerning my Lord Treasurer.

A little bundle concerning Mr. Montague.

A bundle of petitions whereof some are of the House of Commons to his Majesty and his Majesty's answers unto them.

A bundle of Subsidy Rolls.

A bundle of papers of divers kinds of little use.

Two great rolls of parchment containing the petitions of the House of Commons to his Majesty.

23 old patents and leases.

11 bags of papers of Queen Elizabeth.

*Political Parties in the Reigns of William III
and Anne: the Evidence of Division Lists:
a Supplementary Note*

IN their supplement to the *Bulletin* (Special Supplement No. 7, November 1968) Dr. Burton, Dr. Riley and Mr. Rowlands have analysed the voting record of the house of commons in 1696 and, in discussing the political affiliations of these members during the reigns of William III and Anne, have concluded that 'the consideration which overwhelmingly determined voting behaviour on all issues during this period [1689-1714] was party'. As a supplement to their work it is possible to extend the discussion for some of these members into the reign of George I, for out of the 518 members recorded in Appendix A sixty-three still sat in the first parliament of George I and fifty-eight of these appear in Appendix B. It is the voting record between 1716 and 1719 which is analysed in this note.

The names of those who voted are recorded for three major divisions in the house of commons for this parliament,¹ the committal of the Septennial Act (24 April 1716), the committal of the Act to repeal the Occasional Conformity and Schism Acts (7 January 1719), and the defeat of the motion for the committal of the Peerage Bill (8 December 1719). Of the survivors of William III's parliaments thirteen are unclassifiable either because they were consistently absent on these three occasions or because their infrequent attendances are inconclusive. But the other fifty can be placed in three major categories—whig, opposition whig, and tory—and a comparison with the tables printed in the earlier study shows an amazing consistency. Forty voted under William III as they did in George I, and only six show any variation.

It is clear indeed that these correspondences emphasize the degree of party loyalties and connections during the first two decades of the eighteenth century. Whatever happened to party structures and loyalties later in the century they were certainly strong enough to display themselves and to be a factor at some of the points that mattered, the crucial divisions in the house of commons.

A. N. NEWMAN

APPENDIX

The numbers used here are those used in the list of the *Supplement*, and the symbols, p, c, a, indicate that the individual voted pro or con the government, or was absent on the occasion of the divisions. x indicates that the member did not, at that time, have a seat in parliament.

Whig

3	ppp	194 ²	pap	447 ³	ppp
54	ppa	281 ³	pxx	453	ppp
64	pxx	286	ppp	454	ppp
116	ppp	308	aap	481 ³	paa
135	ppx	314	ppp	489	ppp
145	ppp	358	ppp	510	xpa
162	pax				

Opposition whig

44	pcc	329	pcc	429 ⁴	pcc
97	ppc	398	pcc	448	ppc
228 ⁴	pcc	412	pcc	462	ppc
232 ⁴	pcc	417 ⁴	pac	509	pca

¹For full bibliographical details see Mary Ransome, 'Division-lists of the house of commons, 1715-60', *ante*, xix (1942-3), 1-8.

²Whig under George I but moderate tory in Appendix B.

³No record in Appendix B.

⁴Whig in George I, and high tory in Appendix B.

Tory

155	ccc	313	cxx	388	ccc
165	ccc	324	cxx	391	cac
233 ¹	ccc	349	ccx	409	ccc
240	ccc	350	cxx	430	cxx
243	ccc	356	ccc	439	cca
269	ccc	365	cac	497	ccc
270	ccc				

Not sufficient information

81	acc (Appendix B—high tory)
85	cpc (Appendix B—whig)
428	aac (Appendix B—whig, reclassified as moderate tory)

Not recorded in any of the three division lists, George I

93	364	468
123	438	500
246	456	502
288		

Figures Relating to the Printing and Distribution of the Craftsman 1726 to 1730

ONE of the major problems in any study of the press in the mid eighteenth century lies in the almost complete absence of detailed figures relating to the circulation of newspapers in London and their day-to-day running expenses. Those figures which do survive from the Walpole period are usually either too isolated or too ambiguous to allow any full picture of a working newspaper to be drawn.² Attempts have been made to fill some of the gaps in the knowledge of circulation by matching up the few available figures with the physical limitations of production.³ But while such attempts can be helpful to provide some sort of outline of the distribution and hence profit figures of daily and, to a lesser extent, tri-weekly papers, this sort of assessment is of little value with those published less frequently which have no such upper production limit. The set of bookseller's accounts reproduced below, though also containing some ambiguities, are therefore particularly valuable in throwing new light on the routines of newspaper production and in making it possible to follow in some detail the rise of the most important political journal of its time.

¹ Tory in George I but whig in Appendix B.

² The only considerable body of figures yet published relating to this period are the Audit Office Accounts concerned with the outstanding advertising duty from the London press. These are printed by A. Aspinall, *Eng. Hist. Rev.*, lxxiii (1948), 201-32.

³ A good example of this sort of detective work occurs in R. L. Hague, *The Gazetteer 1735-97* (Carbondale, 1960), pp. 10-12.

The *Craftsman* from its first issue dedicated itself to the cause of the whig opposition, providing a running fire of virulent criticism which soon provoked the ministry into taking some clumsy and notably ineffectual legal action against the paper. The survival of these accounts is due to one of these prosecutions. The attempt to use the courts against the *Craftsman* having failed in 1729, the ministry passed the Juries Bill through parliament and launched a further series of prosecutions. On 1 September 1730 a warrant was issued against Richard Francklin for printing and publishing the *Craftsman* Nos. 215 and 217 of 15 and 29 August.¹ On 3 September the messengers John Wiggs and John Hutchins searched his premises and seized his papers, both their initials and the date appearing on the pages of these accounts. Whether this particular prosecution was followed up is doubtful and it was completely overshadowed by the subsequent case against No. 235 of 2 January 1731 which contained the notorious Hague letter.² None the less the papers seized on the earlier occasion passed into the hands of Sir Robert Walpole and are now amongst the collection of his papers deposited in the Cambridge University Library.³

All the accounts are in the same hand and appear to have been kept by the bookseller Richard Francklin. As joint proprietor of the paper with his long-standing associate, the author Nicholas Amhurst, he seems to have acted simply as manager, organising the printing and distribution without being nominally responsible for either, though he probably sold the paper at his shop in Covent Garden. Samuel Aris in Creed Lane, whose name appears on the January account, printed at least the first seventeen numbers⁴ while the imprint of the paper shows it to have been printed for three consecutive publishers: No. 1 for A. Moore near St. Paul's, Nos. 2 to 15 for J. Smith near the Royal Exchange, and Nos. 16 and 17 for T. Warner of Paternoster Row.⁵ At this point some alteration in Francklin's position seems to have taken place as a result of ministerial action against No. 16 of Friday, 27

¹ Public Record Office, S.P. 44/82, unpaginated.

² For details of Francklin's severe sentence for publishing the letter, said to be written by Lord Bolingbroke, see L. Hanson, *Government and the Press 1695-1763* (Oxford, 1936), p. 67.

³ The collection is the property of the marquess of Cholmondeley to whom I am grateful for permission to reproduce these accounts. After completing this note I discovered that Mr. Giles Barber had already made use of the *Craftsman* papers in an unpublished Oxford B.Litt. thesis, 'A Bibliography of Henry Saint John, Viscount Bolingbroke' (1963). Mr. Barber kindly allowed me to see his extremely interesting study containing an analysis of these figures which agrees substantially with my own findings. However, the body of this note remains unaltered and is entirely my responsibility.

⁴ Aris appears as 'Well affected King George' in Samuel Negus's list of London printers reproduced in J. Nichols, *Literary Anecdotes of the 18th Century* (1812).

⁵ I have not been able to find Nos. 1, 2 and 4 of the *Craftsman* which are missing from the Burney Collection of newspapers in the British Museum. But the details carried in the imprint appear in advertisements in the *Daily Post* of Monday, 5 Dec., Friday, 9 Dec. and Friday, 16 Dec. 1726. 'A. Moore' on an imprint seems to have been a generally accepted fiction in this period.

January 1727 which contained Bolingbroke's *Vision of Camillick*. Warrants were issued for the arrest of Francklin, Amhurst, Aris and Thomas Warner.¹ Charges do not appear to have been pressed but it is probable that these measures and others like them did frighten off a number of those previously concerned in the paper and in No. 18, published after some delay on Friday, 3 February, Francklin's name appears on the imprint for the first time.² This assumption of nominal responsibility for the paper was possibly accompanied by an extension of his publication duties.

The accounts fall into three main sections. First come those figures that deal in detail with the debit and credit of the monthly printing and distribution of Nos. 1 to 44. During this period, which extends from Monday, 5 December 1726 to Monday, 8 May 1727, the paper appeared twice weekly on Monday and Friday as a single leaf set out in two columns and containing only a political essay and a small number of advertisements.³

The second section is concerned with Nos. 45 to 192 from Saturday, 13 May 1727 to Saturday, 7 March 1730. There is no detailed breakdown of figures as for the earlier numbers but there is a very valuable assessment of the profit from groupings of four issues of the paper. No. 45 was the first weekly edition under the extended title of *The Country Journal: Or: The Craftsman*. Its new four-page format, laid out in three columns and containing a political essay, conventional news sections and a steadily increasing number of advertisements, brought it into line with the already established weekly journals.⁴ The *Craftsman* continued to retail at 2d. and retained this format, with a slight increase in size, into the seventeen-forties.

The third section gives a detailed account of the expenses and profits of each edition of the five collections of essays from the paper published in pamphlet form. These are advertised in the *Craftsman* and elsewhere during the first five months of 1727, the first being announced in the *Craftsman* No. 13 of Monday, 16 January and the fifth in No. 47 of Saturday, 27 May 1727. The account also contains similar figures for the second volume of the first full collected edition.

The detailed monthly accounts are particularly interesting in showing something of the expenses and possible circulation of a newly established London newspaper. This holds good even though the *Craftsman* cannot be taken as typical either from the point of view of its foundation or its content. The backing of an ill-defined group of wealthy and influential politicians probably took out much of the risk of the venture, while its continuous assault on the administration inevitably aroused unusual public

¹P.R.O., S.P. 44/81, p. 459.

²A supplement to the *Craftsman* is advertised in *Mist's Weekly Journal* No. 94, Saturday, 4 Feb. 1727, published by T. Warner.

³Mr. Barber (pp. 53 and 56) has described the very rare first number which consisted of 6 unstamped pages and which was suppressed after action taken by the tax authorities.

⁴The major weeklies at this time were: *Mist's Weekly Journal*, *The London Journal*, *The Weekly Journal*, *The British Journal* and *Appleby's Original Weekly Journal*.

interest, particularly at the time of year when politics became the principal preoccupation of London society. How far initial sales were stimulated by the sort of bulk distribution amongst political supporters that was taking place by 1730 is not clear.¹ Certainly the accounts contain indications that the *Craftsman* was immediately successful.

Generally speaking new London papers were obliged to undertake quite extensive measures of self-advertisement in order to establish themselves in the face of considerable competition. This usually included the distribution of large numbers of handbills, the free circulation of the bulk of early editions and advertising in the press.² In the account for the sale of the *Craftsman* for December 1726 there is no entry for handbills, only thirty copies appear as 'Given' and after the nine advertisements debited for that month at £1 4s. od. only three others are listed though the reprints in pamphlet form each received comparatively extensive exposure in the press. At the same time numbers of the paper distributed reached the 1,000 mark as early as mid-January 1727 and continued to rise to a ceiling of 1,500 copies with No. 18, the first issue published following the prosecution. The total profit for the first two months of the new year amounted to the substantial sum of £27 6s. 7½d. This growth rate does not seem to have been maintained and a levelling out of circulation at between 850 and 900 copies per issue appears to have begun by March 1727. It is probable that this failure to maintain the high weekly figures of the previous months at the beginning of the notoriously difficult summer period played a major part in the change of format that took place in May. This is tacitly admitted in the editorial to No. 45.

All the circulation figures given in this first section, whether referring to numbers distributed or numbers returned unsold, are calculated in quires, each of which contained twenty-five copies of the paper. In fact every twenty-fifth copy was given free to the mercury or newspaper seller and consequently all the financial calculations are based on a quire of twenty-four papers, each of which was sold at the wholesale price of 1½d.³

The number of returns is one of the most interesting entries. About twenty per cent of each of the month's distribution figures, after the very low assessment for December, are entered on the debit side of the accounts. This feature underlines the need for caution in using printing or distribution figures for accurate estimates of circulation. The number of returns also appears on the credit side in the entry 'Stamps allow'd' which gives the

¹ One item in this section of the Walpole papers consists of four lists of names, largely of M.P.s, which give an indication of the extent of the *Craftsman*'s support and the sort of bulk distribution organised through political sympathisers. Cholmondeley (Houghton) MSS. 74-72.

² The early issues of the *Daily Advertiser* in the Burney Collection give a good picture of such efforts, No. 1 appeared on Wednesday, 17 Feb. 1731.

³ For a full discussion of the constitution of a quire and other aspects of the printing trade of this period see W. Sale, *Samuel Richardson Master Printer* (New York, 1950), ch. ii.

number of halfpennies credited to the *Craftsman* by the Stamp Office on return of the stamps from the unsold papers.¹

The month's printing figures are given in some detail. The cost of paper is constant throughout at 8s. 6d. for a ream containing twenty quires, each sheet being sufficient for two copies of the paper.² The cost of printing, exclusive of materials and other extras, is based very largely on the number of editions published in any month, though there does seem to have been a slight fluctuation according to the number of copies in each. This can probably be accounted for by differences in the time of printing and consequently in the wages of the press men.³ After some variation in December, probably caused by the uncertainty about the paper's future, the cost seems to be constant at 19s. for an edition of over 500 or under 1,500 copies.

It is clear from these accounts that the publisher who received the paper from the printer and passed it on to the mercuries received a set fee of 2s. for every 1,000 copies distributed. The entry 'Incidental Expenses' in December seems to cover this. After the arrest of Warner and the appearance of Francklin's name on the imprint it seems likely that this sum was credited to Francklin himself or to one of his employees. It is impossible to estimate the number of mercuries involved in the distribution of the paper but it appears that the two women whose shops were to remain the principal outlet for the *Craftsman* all through the seventeen-thirties were concerned in its distribution from the first. Mrs. Anne Dodd at Temple Bar and Mrs. Elizabeth Nutt at the Royal Exchange received between them a high proportion of the first pamphlet collection sold and it is probable that the bulk of the early editions passed through their shops.⁴

The second set of accounts covering the subsequent three years cannot provide exact circulation figures but can give an excellent picture of the growth of the paper. The consistent upward curve of the four-weekly profits shows that, after an initial falling off while the new-style paper was introduced, there was an immediate and remarkable response from the public. This response kept the profits at a high level even through the late summer periods and the total gain of over £2,000 must have more than compensated Francklin for previous ministerial attacks.⁵

The figures of the two sections of the accounts relating to the *Craftsman* itself are set out below in their original form and with no omissions; those

¹The *Grub Street Journal*, No. 147, 26 Oct. 1732 contains allusions to this procedure.

²For some discussion of paper prices and the industry generally see D. C. Coleman, *The British Paper Industry 1495-1860* (1958).

³The question of wages in the printing trade is discussed in Sale and in E. Howe, *The London Compositor 1785-1900* (1947), pp. 10-52.

⁴Evidence of this continuing association occurs in *Treachery, Baseness, and Cruelty display'd to the full: in the hardships and sufferings of Mr. Henry Haines, late printer of the Country Journal, or, Craftsman, etc.* (1740), p. 28.

⁵Eight numbers of the paper attracted the attention of the authorities in the first four years of the paper's existence (Hanson, p. 67).

relating to the pamphlet collections have been slightly reshaped but also appear in full. Francklin's arithmetic was sometimes inexact and his incorrect summations are reproduced.

M. R. A. HARRIS

CRAFTSMAN ACCOUNTS

(1) *Craftsman* Accounts, Monday, 5 December 1726 to Monday, 8 May 1727. (Cholmondeley (Houghton) MSS. 74. 28.)

Craftsman Dr				Craftsman Cr				
Advertisements 6	01.	1.	0.	No 1	12	0.	1.	6.
Paper for the first 9 No				2	250 10 Qr	1.	10.	0.
4 R & $\frac{1}{2}$ at 8.6	2.	0.	3.	3	250 10 Qr	1.	10.	0.
Print of Do	6.	8.	0.	4	250 10 Qr	1.	10.	0.
Incidental Expenses	0.	4.	0.	5	350 14 Qr	2.	2.	0.
Gave Dods' Man	0.	1.	0.	6	400 16 Qr	2.	8.	0.
Stamps 3000	6.	5.	0.	7	500 20 Qr	3.	0.	0.
Advertisements 3	0.	3.	0.	8	500 20 Qr	3.	0.	0.
Numbers Returned 75	0.	9.	0.	9	500 20 Qr	3.	0.	0.
Do Given 30	—0.	5.	0.	75	Stamps allow'd	0.	3.	1 $\frac{1}{2}$
	16.	16.	3			18.	4.	7 $\frac{1}{2}$
						16.	16.	3
					Profit on the first nine numbers	1.	8.	4 $\frac{1}{2}$

Craftsman Dr				Craftsman Cr						
Jan. 12	paid for a letter	o.	o.	6.	No 10	500	3.	o.	o.	
12	Porter	o.	o.	6.	11	850	5.	2.	o.	
19	To Aris's Men	o.	2.	6.	12	750	4.	10.	o.	
21	To Do	o.	2.	6.	13	750	4.	10.	o.	
	Aris's Bill to				14	1000	6.	o.	o.	
	No. 17	7.	8.	6.	15	1000	6.	o.	o.	
	Paper for Do	3.	3.	9.	16	1250	} Warner	7.	10.	o.
	Stamps 7100	14.	15.	10.						
	Advertisement	o.	16.	o.	17	1000		6.	o.	o.
	Duty									
	Porter	o.	o.	6.		7100				
	Do Paper	o.	o.	9.		Stamps allow'd				
	Returns					Money for advertise-				
	Publishing 7100	o.	15.	o.		ments.		1.	6.	o.
		27.	6.	4.				43.	18.	o.

Craftsman Dr In February			Craftsman Cr in the month of February		
Printers Men	0.	2. 6.	No 18 1500	9.	0. 0.
To Do	0.	2. 6.	19 1250	7.	10. 0.
To Do	0.	1. 0.	20 1250	7.	10. 0.
Porter	0.	0. 6.	21 1000	6.	0. 0.
Do	0.	0. 6.	22 1000	6.	0. 0.
Paper 8½ R	3.	12. 3.	23 1000	6.	0. 0.
Print	6.	18. 0.	24 1000	6.	0. 0.
Advertisement Duty	1.	13. 0.	—		
109 Qr Returns to the end of Feb.	16.	7. 0.	8000		
Stamps 8000	16.	13. 4.	Advertisements	3.	18. 0.
Daily Journal Advert	0.	4. 0.	2725 Stamps allowed	5.	13. 6½
Do Mist	0.	2. 6.	February	57.	11. 6½
Do Daily Post	0.	3. 6.	January	43.	18. 0.
Publishing 8000 at 2s.	0.	16. 0.		101.	9. 6½
February	46.	16. 7.		74.	2. 11.
January	27.	6. 4.	Settled to the end of Feb the Two months total profit	27.	6. 7½
	74.	2. 11.			

Craftsman Dr March			Craftsman Cr March		
Printing 9 Papers	8.	11. 0.	No 25 1000	6.	0. 0.
Paper 8 Ream at 8.6	3.	8. 0.	26 900	5.	8. 0.
Printers Men	0.	2. 6.	27 900	5.	8. 0.
Porter	0.	0. 8.	28 900	5.	8. 0.
Do	0.	0. 6.	29 800	4.	16. 0.
Printers Men	0.	1. 0.	30 800	4.	16. 0.
Do	0.	1. 0.	31 800	4.	16. 0.
Do	0.	1. 0.	32 800	4.	16. 0.
Porter	0.	0. 6.	33 850	5.	2. 0.
Publishing	0.	16. 0.	—		
Returns 49 Quire 10.	7.	8. 3.	7750		
Stamps 7750	16.	2. 11.	Advertisements	5.	18. 0.
Advertisement duty	2.	3. 0.	1235 Stamps all'd	2.	11. 5½
Porter	0.	0. 6.			
	38.	16. 10.	Settled to the end of March the total profit	54.	19. 5½
				38.	16. 10.
				16.	3. 7½

240 FIGURES RELATING TO THE PRINTING AND

Craftsman Dr				Craftsman Cr			
Printing 11 Papers at 19s	10.	9.	0.	No 34	850	5.	2. 0.
Paper 11½ Ream	4.	17.	9.	35	850	5.	2. 0.
Stamps 9600	20.	0.	0.	36	850	5.	2. 0.
Porter	0.	0.	6.	37	900	5.	8. 0.
Do	0.	0.	6.	38	900	5.	8. 0.
Do	0.	0.	4.	39	850	5.	2. 0.
Printers Men	0.	2.	6.	40	850	5.	2. 0.
Do	0.	1.	0.	41	850	5.	2. 0.
Do	0.	2.	6.	42	900	5.	8. 0.
Porters	0.	0.	6.	43	900	5.	8. 0.
Do	0.	0.	6.	44	900	5.	8. 0.
Do	0.	0.	3.		9600		
Advertisement duty	1.	5.	0.	Advertisements		3.	2. 6.
Publishing	1.	2.	0.	1919 Stamps allowed		3.	19. 11½
Returns 1919	11.	10.	4½			64.	14. 5½
	49.	12.	4½			49.	12. 4½
				Settled to No 44		15.	2. 10.

(2) *Craftsman Profits*, Saturday, 13 May 1727 to Saturday, 7 March 1730. (Cholmondeley (Houghton) MSS. 74. 7.)

Numbers				£	s.	d.	129,	130,	131, ²	132-	73.	19.	4
45,	46,	47,	48-	8.	8.	0	133,	134,	135,	136-	61.	0.	5
49,	50,	51,	52-	12.	12.	6	137,	138,	139,	140-	68.	6.	8
53,	54,	55,	56-	15.	11.	6	141,	142,	143,	144-	67.	5.	10
57,	58,	59,	60-	19.	11.	2	145,	146,	147,	148-	77.	18.	5
61,	62,	63,	64-	33.	10.	4½	149,	150,	151,	152-	75.	2.	2
65,	66,	67,	68-	37.	7.	2	153,	154,	155,	156-	68.	12.	4
69,	70,	71,	72-	31.	7.	2	157,	158,	159,	160-	72.	9.	7½
73,	74,	75,	76-	38.	13.	7	161,	162,	163,	164-	71.	11.	10
77,	78,	79, ¹	80-	45.	7.	11	165,	166,	167,	168-	71.	4.	5
81,	82,	83,	84-	50.	0.	7	169,	170,	171,	172-	72.	13.	8
85,	86,	87,	88-	55.	18.	0	173,	174,	175,	176-	73.	19.	9
89,	90,	91,	92-	58.	16.	8	177,	178,	179,	180-	77.	13.	6
93,	94,	95,	96-	61.	1.	1	181,	182,	183, ³	184-	76.	4.	0
97,	98,	99,	100-	58.	4.	2	185,	186,	187,	188-	83.	5.	3
101,	102,	103,	104-	58.	14.	6							
105,	106,	107,	108-	50.	18.	7				1990.	5.	0	
109,	110,	111,	112-	48.	17.	5	189,	190,	191,	192-	86.	16.	4
113,	114,	115,	116-	61.	7.	2							
117,	118,	119,	120-	52.	19.	1							
121,	122,	123,	124-	49.	7.	1							
125,	126,	127,	128-	50.	7.	2							

¹No. 79 is for 6 Jan. 1728.

²No. 131 is for 4 Jan. 1729.

³No. 183 is for 3 Jan. 1730.

(3) *Craftsman* Pamphlet Collection Accounts. (Cholmondeley (Houghton) MSS. 74. 12 and 13.)**1st Collection 1st Edition**

Pamphlet Craftsman Dr			Craftsman Cr		
Jan. 14	Porter	0. 1. 0.	Jan. 16	To Mrs Dod	400
172 ⁸ / ₇	Do	0. 0. 6.	172 ⁸ / ₇	To Mrs Nut	100
Advertisements			More 50		
	D. Post. Monday,		Sold		25-0. 18. 0.
	Teusday Wensday		Sold		25-0. 18. 0.
Jan. 16	Friday	0. 14. 0.	Sold		50-1. 16. 0.
	Porter	0. 0. 9.	Sold		25-0. 18. 0.
	Do	0. 1. 6.	D		2-0. 1. 6.
	Post Boy Teusday		Do		12-0. 9. 0.
	& Saturday	0. 7. 0.	Do		25-0. 18. 0.
	Whitehall. Teusday		1000 Sold		36. 0. 0.
	and Thursday	0. 7. 0.			
	London Journal				
	Sat	0. 3. 6.			
	Printers Men	0. 2. 6.			
	Entrance	0. 10. 0.			
	Printing	4. 5. 0.			
	Paper 10 Ream at				
	168	8. 0. 0.			
		14. 16. 9.			

1st Collection 2nd Edition

750 sold:—	27. 0. 0.
Paper	6. 8. 0.
Print	4. 5. 0.
Porters (4)	0. 2. 6.
Printers men	0. 2. 6.
Advertisements (7)	1. 2. 0.
Settled this account	
	11. 19. 6.

1st Collection 3rd Edition

750 printed	
Paper	6. 8. 0.
Print	4. 5. 0.
Porters (3)	0. 2. 0.
Printers men	0. 2. 6.
Advertisements (8)	1. 5. 0.
	12. 2. 6.

2nd Collection 1st Edition

1000 Sold:—	
Paper 10 R at 16	8. 0. 0.
Print at 178 5 Sheets	4. 5. 0.
Entrance	0. 10. 0.
Porter	0. 0. 9.
Do	0. 0. 6.
Advertisements	1. 9. 0.
Porter	0. 1. 0.
Do	0. 0. 9.
Printers Men	0. 2. 6.
	14. 9. 6.

2nd Collection 2nd Edition

1000	
Paper	8. 4. 0.
Print	4. 10. 0.
Porter (4)	0. 3. 0.
Advertisements (11)	1. 14. 6.
Printers Men	0. 2. 0.
	14. 13. 6.

3rd Collection

1250 printed

Paper 15 Ream	12.	7.	6.
Printing	6.	3.	0.
Porters (5)	0.	3.	0.
Printers Men	0.	2.	6.
Entrance	0.	12.	0.
Advertisements (10)	1.	11.	6.

20. 19. 6.

4th Collection

1250 printed

Paper	12.	7.	6.
Printing	6.	3.	0.
Porters (3)	0.	1.	9.
Printers Men	0.	2.	6.
Entrance	0.	12.	0.
Advertisements (10)	1.	11.	6.

20. 18. 3.

5th Collection

1250 printed

Paper 12½ Ream	10.	6.	3.
Printing	5.	2.	6.
Printers Men	0.	2.	6.
Porters (4)	0.	2.	9.
Entrance	0.	10.	0.
Advertisements (11)	1.	14.	6.

17. 18. 6.

Totals

1st	750	12.	2.	6.
2nd	1000	14.	13.	6.
3rd	1250	20.	19.	6.
4th	1250	20.	18.	3.
5th	1250	17.	18.	6.
	5500	86.	12.	3.

Sold 3000 at 18 for 25 108. 0. 0.
 86. 12. 3.

Profit settled for
 August 21st 1727 21. 7. 9.
 Remaining in my hands
 2500 pamphlets

Craftsman Vol. 2nd

Dr

Printing 29½ Sheets			
at 18s.	26.	2.	0
Do 1 Sheet at	1.	5.	0
Paper 61 Reams at 17s.	51.	17.	0
Pd Carman	0.	2.	6
Advert. D. Post. Tuesd.			
Wen. Thur. & Fri.	0.	14.	0
D. Journal Tues. Wen.			
Mond.	0.	10.	6
E. Post. Tuesd. Thur.			
Tuesd.	0.	10.	6
Whitehall Tuesd. Thur.			
Sat.	0.	10.	6
St. James's Thursd. Sat.			
Tues.	0.	10.	6
Mist twice	0.	7.	0
L. Journal	0.	3.	6.
Pd Porter	0.	3.	0.
Printers Men	0.	2.	6
	82.	18.	6

Cr

1000 Printed			
650 Sold at 25 for			
4. 0. 0—Comes to	104.	0.	0

Historical News

THE FORTY-THIRD Anglo-American Conference of Historians took place at the University of London on Thursday and Friday, 9 and 10 July 1970. Two general and ten sectional meetings were held either in the Beveridge Hall of the Senate House or in the Masaryk Hall at the School of Slavonic and East European Studies, by kind permission of the School's Director. The total enrolment, not counting accompanying relatives, was 510, of whom 154 were from the United States of America or from Canada and other Commonwealth countries. Professor D. Hay (Edinburgh) presided over the opening meeting on Thursday morning, when Professor E. H. J. Gombrich (Director of the Warburg Institute) gave an illustrated lecture on 'Raphael's Stanza della Segnatura'. The closing meeting, over which the Director of the Institute presided, was addressed by Professor H. C. Darby (Cambridge) on 'Geography and History', again with the use of slides. Renaissance history was a special theme at the Conference and papers were read on this subject by Professor N. Rubinstein (London) on 'Political Involvement in 15th century Florence'; by Professor M. B. Becker (Rochester) on 'Individualism in the Italian Renaissance: Burden and Blessing'; by Professor R. Brentano (Berkeley, California) on 'Patterns of Piety and Religious Expression in 13th and 14th century Rome'; by Dr. M. E. Mallett (Warwick) on '*Condottieri* and the Italian States in the 15th century' and by Professor M. P. Gilmore (Harvard) on 'Independence and Borrowing: Problems of Italian Influence on the Northern Renaissance'. There were also papers on 'The Death of Archbishop Thomas Becket, 1170', by Dr. W. G. Urry (Oxford); 'The Historical Value of Pepys's Diary', by Mr. R. C. Latham (Cambridge); 'French Liberalism between Revolutions, 1789-1848', by Professor W. M. Simon (Keele); 'Peelites and Whigs, 1850-1852', by Professor J. B. Conacher (Toronto) and 'The Imperial Context of British History', by Professor A. P. Thornton (Toronto).

On the Thursday afternoon the Director of the Institute of Historical Research and Mrs. Dickens received members of the Conference at a tea party in the Macmillan Hall of the Senate House. There were buffet luncheons on the Thursday and Friday, another tea party on the Friday afternoon and the traditional Conference dinner at the Bloomsbury Centre Hotel in the evening. Professor F. Wormald proposed the toast of the members from overseas and Professor R. W. Winks (Cultural Attaché at the American Embassy, London) responded. The annual exhibition in the Institute of historical works published in the United Kingdom during the previous twelve months was visited by many members and all copies of the catalogue quickly sold. At the business meeting the experiment of devoting two whole days to the Conference, beginning on Thursday morning and

ending on Friday evening, was endorsed and it was decided to hold a similar Conference, with a special theme, together with papers devoted to other historical subjects, on Thursday and Friday, 8 and 9 July 1971. The Anglo-American Historical Committee reported on preliminary discussions concerning a plenary conference in the summer of 1972 and the general plan of holding meetings from Tuesday to Friday, 5-8 July in that year, was approved, with the possibility of organized visits within London and excursions into the country on Saturday, 9 July 1972.

* * * * *

The 150th volume of the *Victoria History of the Counties of England* will be published this year, which is also the 70th year from the appearance of the first volume. The University of London, who own the *History*, will mark the event by an evening reception and the Institute of Historical Research, who manage it, will publish a *General Introduction* to the whole series. The Introduction will contain a history of the project, a bibliographical excursus, tables of contents of all the volumes, and indexes to the titles of the articles and the authors' names. It is due to appear in November.

* * * * *

Publication of a further two volumes of the *History of Parliament*, concerned with the House of Commons during the years 1715-1754, is expected before the end of 1970. They have been edited, with an introductory survey, by Romney Sedgwick, and follow the same general plan as the volumes for 1754-1790 by Sir Lewis Namier and John Brooke, whose introductory survey is now available as an Oxford Paperback. Other sections of the *History* in course of preparation under the editorship of the scholars named are: 1386-1422 (J. S. Roskell), 1509-1558 (S. T. Bindoff), 1558-1603 (Sir John Neale), 1660-1690 (Basil D. Henning) and 1790-1820 (R. G. Thorne). The Editorial Board expect to start work during the five years beginning April 1971 on sections of the *History* for the periods 1603-1660 and 1690-1714. They also propose to examine the feasibility of revising and extending back to 1422 the existing Wedgwood volumes for 1439-1509. These developments, together with work now in progress, bring into view a sequence of volumes from 1386 to 1820. The terminal dates of the *History* remain open.

* * * * *

On 30 April 1970 Professor Nicholas Mansergh addressed a Director's Conference at the Institute on the project to publish India Office and Vice-regal papers in a series of *Documents on the Transfer of Power in India* of which he is editor-in-chief. The project had been made public on 30 June 1967 when the then Prime Minister announced in the House of Commons that a team of 'independent historians [would] be given unrestricted access to the records and freedom to select and edit documents for publication'.

The first volume of the series, entitled 'The Cripps Mission' and covering the period January to April 1942, was published on 10 July 1970. It includes official and unofficial correspondence between the Secretary of State (Mr. Amery) and the Viceroy (Lord Linlithgow); Sir Stafford Cripps's own records of his conversations with Indian political leaders; and the papers submitted to the India Committee of the Cabinet and to the War Cabinet, with their conclusions on them. Most of this material had not previously been published or available for study. The Editors hope that Volume II, dealing with the 'Quit India' movement in the summer of 1942, will be published early in 1971; and that Volume III, in which the main points of interest are Gandhi's fast in February 1943 and the succession to the Viceroyalty, will appear in November 1971, that is, before the opening of the wartime records in January 1972. There may be as many as eight further volumes, carrying the series up to the actual transfer of power on 15 August 1947.

Historical Manuscripts

MIGRATIONS

[The following is a select list of historical MSS. recently offered for sale by booksellers and auctioneers. References to booksellers' catalogues are by name, number of catalogue, page and number, to auctioneers' catalogues by name, date of first day of sale, and number of lot.]

Miscellaneous Documents.

English before 1603.

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Lincs.: papers of the Bertie family of Grimsthorpe, 15th-17th cent., including letters to and from Peregrine Bertie, Lord Willoughby. (Sotheby & Co., 22. vi. 1970, nos. 313-57.)

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